

## FIFTEENTH DAY

(Continued)

(Friday, June 25, 1937)

The House met at 10:00 o'clock a. m., and was called to order by Speaker Calvert.

## LEAVES OF ABSENCE GRANTED

(By unanimous consent)

The following Members were granted leaves of absence, as follows:

Mr. Stevenson for today, on account of attending a funeral, on motion of Mr. Pope.

Mr. Fielden for today, on account of important business, on motion of Mr. Bell.

Mr. McKee for today, on account of important business, on motion of Mr. Alexander.

Mr. Smith of Matagorda for yesterday and today, on account of important business, on motion of Mr. Kern.

Mr. Oliver for today, on account of important business, on motion of Mr. Westbrook.

Mr. Carssow for today, on account of important business, on motion of Mr. Talbert.

# ADOPTION OF CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 2

The Speaker laid before the House, for consideration at this time, the Conference Committee Report on Senate Bill No. 2.

The report having been submitted to the House on yesterday and further consideration of same postponed until today.

Mr. Metcalfe moved a call of the House for the purpose of maintaining a quorum until the conference committee reports on Senate Bills Nos. 2 and 3 have been disposed of, and the call was duly ordered.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Bell
Adkins	Blankenship
Alexander	Boethel
Alsup	Bond
Amos	Boyer
Baker	Bradbury
Beckworth	Bridgers

Broadfoot	Leyendecker
Brown	Little
Burton	Loggins
Cagle	London
Callan	Lucas
Cathey	Mann
Cauthorn	Mauritz
Celaya	Mays
Cleveland	McConnell
Colquitt	McDonald
Davis of Haskell	McFarland
Davis of Jasper	McKinney
Davissan	Metcalfe
of Eastland	Moffett
Deglandon	Monkhouse
Derden	Morris
Dickison	Morse
England	Newton
Farmer	Nicholson
Felty	Palmer
Fox	Patterson
Fuchs	of Travis
Gibson	Petsch
Graves	Pope
Hamilton	Powell
Hankamer	Prescott
Hanna	Ragsdale
Harbin	Reader
Harper	Reed of Bowie
Harrell	Reed of Dallas
Harris of Archer	Rhodes
Harris of Dallas	Riddle
Harris of Dickens	Roark
Hartzog	Ross
Herzik	Russell
Holland	Rutta
Hoskins	Schuenemann
Howard	Sewell
Huddleston	Sharpe
Hull	Shell
Jackson	Simpson
James	Skaggs
Johnson of Ellis	Smith of Hopkins
Johnson	Smith of Tarrant
of Tarrant	Stinson
Jones of Angelina	Stocks
Jones of Atascosa	Talbert
Jones of Falls	Tarwater
Jones of Wise	Tennant
Keefe	Tennyson
Keith	Thornberry
Kelt	Thornton
Kenyon	Vale
Kern	Waggoner
King	Walker
Knetsch	Weldon
Langdon	Westbrook
Lankford	Winfree
Lanning	Wood
Leath	Worley
Leonard	
	Absent
Bates	Davison of Fisher
Bradford	Dean

Dollins  
Hardin

Patterson of Mills  
Settle

Absent—Excused

Carssow  
Fielden  
Heflin  
Hyder  
McCracken  
McKee

Oliver  
Quinn  
Smith  
of Matagorda  
Stevenson

The Speaker announced that there was a quorum present.

Mr. Metcalfe moved that the Sergeant-at-Arms be instructed to bring in all absent Members within the city who are not ill.

Mr. Kenyon moved, as a substitute motion, that the Sergeant-at-Arms be instructed to bring in all absent Members within the State who are not ill and that all business be suspended until the absent Members have arrived.

Mr. Metcalfe moved to table the substitute motion by Mr. Kenyon.

The motion to table prevailed.

Question then recurring on the motion by Mr. Metcalfe, it prevailed.

Mr. Reed of Bowie moved that the conference committee report on Senate Bill No. 2 be adopted.

Mr. Kenyon moved that further consideration of the report be postponed until 10:43 o'clock a. m., today.

Mr. Metcalfe moved to table the motion to postpone.

The motion to table prevailed.

Mr. Petsch moved the previous question on the conference committee report on Senate Bill No. 2, and the main question was ordered.

Mr. Metcalfe moved to reconsider the vote by which the previous question was ordered, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Kenyon raised a point of order, on further consideration of the report, on the ground that the conference committee report eliminates the word "knowingly" in certain section and that there was no disagreement between the two Houses on the matter.

The Speaker overruled the point of order.

Mr. Kenyon raised a point of order, on further consideration of the report, on the ground that the report changes certain statutory provisions and inserts matter not within the

Governor's call and not germane to the original caption of the bill.

The Speaker overruled the point of order.

Mr. Kenyon raised a point of order, on further consideration of the report, on the ground that Sections 11 and 5 of the report contain subject matter not submitted by the Governor.

The Speaker overruled the point of order.

Mr. Kenyon raised a point of order, on further consideration of the report, on the ground that the report violates certain constitutional provisions.

The Speaker overruled the point of order.

Mr. Kenyon moved that the conference committee report be not adopted and that same be sent back to the conference committee with instructions that the word "knowingly" be added in the report in the section from which same was taken out by the committee.

Mr. Metcalfe raised a point of order, on further consideration of the motion, at this time, on the ground that the main question has been ordered and that the above motion is therefore out of order, at this time.

The Speaker sustained the point of order.

Mr. Kenyon moved to suspend the Rules, relative to the making of motions to reconsider, for the purpose of making a motion to reconsider the vote by which the main question was ordered.

The motion to suspend the Rule was lost by the following vote:

Yeas—22

Boyer	Leyendecker
Cathey	Little
Fuchs	Loggins
Hanna	Mann
Harris of Dallas	Mays
Holland	McDonald
Hoskins	McKinney
Jackson	Morse
Keith	Rutta
Kenyon	Thornton
Knetsch	Winfree

Nays—94

Adkins	Blankenship
Alsup	Boethel
Amos	Bond
Baker	Bradbury
Beckworth	Broadfoot
Bell	Brown

Burton	London
Callan	Lucas
Cauthorn	Mauritz
Cleveland	McConnell
Colquitt	McFarland
Davis of Haskell	Metcalf
Davis of Jasper	Moffett
Davisson	Morris
of Eastland	Newton
Deglandon	Nicholson
Derden	Palmer
Dickson	Patterson
England	of Travis
Fox	Petsch
Gibson	Powell
Graves	Prescott
Hamilton	Ragsdale
Hankamer	Reader
Harbin	Reed of Bowie
Harper	Reed of Dallas
Harrell	Rhodes
Harris of Archer	Roark
Harris of Dickens	Ross
Herzik	Russell
Huddleston	Schuenemann
Hull	Sewell
James	Sharpe
Johnson of Ellis	Skaggs
Johnson	Smith of Hopkins
of Tarrant	Smith of Tarrant
Jones of Angelina	Stinson
Jones of Atascosa	Stocks
Jones of Falls	Talbert
Jones of Wise	Tarwater
Keefe	Tennant
Kelt	Tennyson
Kern	Thornberry
King	Vale
Langdon	Waggoner
Lankford	Walker
Lanning	Westbrook
Leath	Wood
Leonard	

## Absent

Alexander	Hartzog
Bates	Howard
Bradford	Monkhouse
Bridgers	Patterson of Mills
Cagle	Pope
Celaya	Riddle
Davison of Fisher	Settle
Dean	Shell
Dollins	Simpson
Farmer	Weldon
Felty	Worley
Hardin	

## Absent—Excused

Carsow	Oliver
Fielden	Quinn
Heflin	Smith
Hyder	of Matagorda
McCracken	Stevenson
McKee	

Mr. Mays moved that the conference committee report of Senate Bill No. 2 be read in full.

A point of order was raised, on further consideration of the motion, on the ground that the main question has been ordered.

The Speaker sustained the point of order.

Question then recurring on the adoption of the conference committee report on Senate Bill No. 2, yeas and nays were demanded.

The report was adopted by the following vote:

Yeas—115

Adkins	Jackson
Alexander	James
Alsup	Johnson of Ellis
Amos	Johnson
Baker	of Tarrant
Beckworth	Jones of Angelina
Bell	Jones of Atascosa
Blankenship	Jones of Falls
Boethel	Jones of Wise
Bond	Keefe
Boyer	Keith
Bradbury	Kelt
Broadfoot	Kern
Brown	King
Burton	Langdon
Cagle	Lankford
Callan	Lanning
Cathey	Leath
Cauthorn	Leonard
Celaya	Leyendecker
Cleveland	Little
Davis of Haskell	Loggins
Davis of Jasper	London
Davisson	Lucas
of Eastland	Mauritz
Deglandon	Mays
Derden	McConnell
England	McDonald
Fox	McFarland
Fuchs	Metcalf
Gibson	Moffett
Graves	Monkhouse
Hamilton	Morris
Hankamer	Newton
Harbin	Nicholson
Harper	Palmer
Harrell	Patterson
Harris of Archer	of Travis
Harris of Dallas	Petsch
Harris of Dickens	Powell
Hartzog	Prescott
Herzik	Reed of Bowie
Holland	Reed of Dallas
Hoskins	Rhodes
Howard	Riddle
Huddleston	Roark
Hull	Ross

Russell	Tarwater
Rutta	Tennant
Schuenemann	Tennyson
Sewell	Thornberry
Sharpe	Thornton
Simpson	Vale
Skaggs	Waggoner
Smith of Hopkins	Walker
Smith of Tarrant	Westbrook
Stinson	Winfree
Stocks	Wood
Talbert	Worley

Nays—6

Bridgers	Knetsch
Hanna	Mann
Kenyon	Morse

Absent

Bates	Hardin
Bradford	McKinney
Colquitt	Patterson of Mills
Davison of Fisher	Pope
Dean	Ragsdale
Dickison	Reader
Dollins	Settle
Farmer	Shell
Felty	Weldon

Absent—Excused

Carssow	Oliver
Fielden	Quinn
Heflin	Smith
Hyder	of Matagorda
McCracken	Stevenson
McKee	

Mr. Metcalfe moved to reconsider the vote by which the report was adopted, and to table the motion to reconsider.

The motion to table prevailed.

#### MESSAGE FROM THE SENATE

Austin, Texas, June 25, 1937.  
Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 39, A bill to be entitled "An Act granting the Commissioners' Court of Bell County permission to pay out of the General Fund of said County bounties for the destruction of rattlesnakes and predatory animals, and declaring an emergency."

Adopted the conference committee report on Senate Bill No. 3 by the following vote: Yeas, 22; Nays, 1.

Adopted

House Concurrent Resolution No. 30, Setting the sine die adjournment of

the First Called Session of the Forty-fifth Legislature at 12 o'clock noon, June 25, 1937.

Has passed

H. B. No. 60, A bill to be entitled "An Act repealing subdivision (i) of Article 8017 of the 1925 Revised Civil Statutes of Texas, and declaring an emergency."

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 3

Mr. Petsch submitted the following Conference Committee Report on Senate Bill No. 3:

Conference Committee Room,  
Austin, Texas, June 23, 1937.

Honorable Walter F. Woodul, President of the Senate.

Honorable R. W. Calvert, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House on Senate Bill No. 3, beg leave to report that we have adjusted the differences and recommend the passage of Senate Bill No. 3 in the form attached hereto.

Respectfully,

VAN ZANDT,  
COLLIE,  
RAWLINGS,  
WOODRUFF,

On the part of the Senate.

HARRELL,  
BLANKENSHIP,  
HARRIS of Dallas,  
PETSCH,

On the part of the House.

S. B. No. 3

#### A BILL

To Be Entitled

An Act making it unlawful to bet or wager money or anything of value upon any dog race, or upon the result of any race, speed, skill or endurance contest between dogs, to be run or held in this State or elsewhere and providing a penalty therefor; prohibiting keeping any premises, building, room or place for the purpose of being used as a place to bet or wager upon dog races and providing a penalty therefor; prohibiting the incorporation of concerns for the purpose of

operating dog tracks and providing penalties and forfeiture of charters and permits of corporations violating the provisions of this Act; providing for the arrest of violators of this Act in certain instances without warrants; providing a severance or savings clause, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. Hereafter it shall be unlawful for any person to bet or wager money or thing of value upon any dog race, or upon the result of any race, speed, skill, or endurance contest, of, by or between dogs, run or to be run or held in this State or elsewhere.

Section 2. Whoever violates any provision of this Act shall upon conviction, be fined not less than Two Hundred (\$200.00) Dollars, nor more than Five Hundred (\$500.00) Dollars, and be imprisoned in jail not less than thirty (30) days, nor more than ninety (90) days.

Section 3. If any person shall keep or be in any manner interested in keeping any premises, building, room or place for the purpose of being used as a place to bet or wager upon dog races or contests of speed, skill or endurance of, by or between dogs, or to keep or to exhibit for the purpose of gaming any such premises, building, room or place whatsoever, or as a place where people resort to gamble, bet or wager upon any such dog race or contest, he shall upon conviction be confined in the penitentiary not less than two nor more than four years. Any premises, building room or place shall be considered as used for gaming or to gamble with or for betting or wagering if any money or anything of value is bet on such dog race or contest or if the same is resorted to for the purpose of gaming or betting upon any such dog race or contest.

Section 4. No corporation, private or otherwise, may be organized, formed, chartered or authorized to do business in this State which has for its purpose directly or remotely, the operation or running of dog races, or contests of speed, skill or endurance of, by or between dogs, or the maintenance, furnishing, leasing or renting of a track, place, enclosure, unenclosure, room, building or combination of either where dog races or con-

tests of speed, skill or endurance of, by or between dogs are, or may be held, run, raced or exhibited.

The charter or permit of any corporation now doing business in this State, may be forfeited, under the provisions of law governing the forfeiture of Corporate Charters in this State, for any or all of the grounds herein specified and set forth in this section.

Section 5. It shall be the duty of all peace officers to arrest with or without a warrant any and all persons violating any provision of this Act, whenever such violation shall be within the view or knowledge of such peace officer.

Section 6. It is hereby provided that if any section, subsection, paragraph, clause or part thereof of this Act is declared unconstitutional or inoperative by any Court of competent jurisdiction, the same shall not effect or invalidate the remaining section, subsection, paragraph, clause or part of this Act.

Section 7. The fact that a Special Session of the Forty-fifth Legislature is now in session to consider the provisions set forth hereinabove creates an emergency and an imperative public necessity that the Constitutional Rule providing a bill to be read on three (3) several days in each House be suspended, and said rule is hereby suspended, and that this Act shall have effect and be in force from and after its passage, and it is so enacted.

Mr. Kenyon raised a point of order, on further consideration of the report, on the ground that Section 3 of the report is not germane to the bill and contains subject matter not submitted by the Governor.

The Speaker overruled the point of order.

Mr. Mays raised the following point of order:

June 24, 1937.

Honorable R. W. Calvert,  
House of Representatives,  
Austin, Texas.

Mr. Speaker:

With reference to the Conference Report on Senate Bill No. 3, I wish to submit the following points of order:

1. I wish to raise the point of order that the amendments to this bill, put on in the conference report,

changed the original purpose of the bill. I refer you to Section 30, Article 3, of the Constitution of Texas, which reads as follows:

"No law shall be passed except by bill and no bill shall be so amended in its passage through either House as to change its original purpose."

If you will read the caption of Senate Bill No. 3, you will see that the original purpose of this bill was to outlaw gambling or betting on dog racing. The conference has adopted amendments which include making it against the law for a man to own, breed, or have in his possession any dogs for the purpose of racing or endurance, or skill. I present to you that this is an entirely different matter from the subject of outlawing gambling on races and the original purpose of the bill is changed and violates Section 30, Article 3, of the Constitution of Texas.

2. This bill has been changed so that instead of embracing one subject it now embraces two subjects,—those of betting on racing and also the subject of keeping dogs for the purpose of racing. These subjects are entirely different and this point of order should be good on account of Section 35, Article 3, of the Constitution of Texas. It says that no bill shall contain more than one subject which shall be expressed in its title. I present to you that this bill now contains two subjects,—one of which was not expressed in the title, thereby in violation of Section 35, Article 3, of the Constitution.

3. I raise a further point of order that this bill now contains matters not in difference between the House and the Senate as this bill when it was sent to the conference committee contained nothing regarding outlawing the keeping of premises for dogs or dogs for racing purposes. All of which was added in conference committee and should be subject to the point of order named above; that the bill now contains matters that were not in dispute between House and Senate and the conference committee only has the authority to settle the differences between the House and Senate.

5. I raise the further point of order that Section 5 of the conference report is not in accordance with the caption of the bill as it brings in a new subject not mentioned at all in the caption of Senate Bill No. 3.

6. I raise a further point of order that Section 5 of the conference report is not in accordance to the bill because Emmett Morse, while serving as Speaker in your absence, sustained the point of order against this amendment and therefore, it should be dead for the session. In failing to sustain this point of order, you are overruling the decision of Mr. Morse and this can only be done by appealing to the House. Appeal was not made therefore, the decision of Mr. Morse, while acting as Speaker, should be considered as final.

7. I present to you the further point of order that the subject matter contained in Section 5 of the conference report is not in accordance to the Governor's call. The Governor only submitted the subject of repeal of gambling on dog racing. In his message he mentioned nothing whatever about outlawing the keeping of dogs or even the racing of dogs, but only the subject of betting on the results of the racing. I present to you the matter contained in Section 5 is entirely foreign to a strict interpretation of the Governor's call and that this point of order should be sustained. I am presenting these points of order to you in writing as I understand that the conference committee is going to refuse to delete Section 5 from the bill and I want you to have time to give these points a fair and impartial study.

I am not against the passage of an anti-gambling law but I am against this Section which will outlaw fox hunters, and bird hunters in my section of the State as they keep dogs for the purpose of fox hunting which is also an endurance contest between the dogs and many people have bird dogs and they have contests of skill between them. And under this section anyone betting on the results of any of these races or contests will immediately cause the owner or keeper of said dogs to become an outlaw under this statute.

I will appreciate your consideration of the submitted matter.

Yours respectfully,

MAYS.

The Speaker overruled items Nos. 1, 2, 5, 6 and 7 in the point of order raised by Mr. Mays.

The Speaker declined to rule on item No. 3 in the point of order, and stated that the House could decide the matter by its vote on the report.

Mr. Roark moved that Section 4, of Rule 24 of the House Rules be suspended, which Rule relates to insertion in conference committee reports of matter not in disagreement between the two Houses, in order that matter in the report on Senate Bill No. 3, not in disagreement between the two Houses, might be in order at this time.

The motion to suspend the Rule prevailed by the following vote:

Yeas—97

Adkins	Kelt
Alsup	Kern
Amos	King
Baker	Langdon
Beckworth	Lanning
Bell	Leath
Boethel	Leyendecker
Bond	London
Bradbury	Lucas
Broadfoot	Mauritz
Brown	McConnell
Burton	McDonald
Cagle	McFarland
Callan	Metcalfe
Cathey	Moffett
Cauthorn	Monkhouse
Celaya	Morris
Cleveland	Nicholson
Davis of Haskell	Palmer
Davis of Jasper	Petsch
Davisson	Powell
of Eastland	Ragsdale
Deglandon	Reed of Bowie
Derden	Rhodes
England	Riddle
Fox	Roark
Gibson	Ross
Graves	Russell
Hamilton	Rutta
Hankamer	Sewell
Harbin	Sharpe
Harper	Simpson
Harrell	Skaggs
Harris of Archer	Smith of Hopkins
Harris of Dickens	Smith of Tarrant
Hartzog	Stinson
Herzik	Stocks
Holland	Talbert
Hoskins	Tarwater
Huddleston	Tennant
Jackson	Tennyson
James	Thornberry
Johnson of Ellis	Thornton
Jones of Angelina	Vale
Jones of Atascosa	Walker
Jones of Falls	Westbrook
Jones of Wise	Winfree
Keefe	Wood
Keith	Worley

Nays—22

Boyer	Colquitt
Bridgers	Dickison

Fuchs	Mays
Hanna	McKinney
Harris of Dallas	Morse
Johnson	Newton
of Tarrant	Pope
Kenyon	Reader
Knetsch	Reed of Dallas
Lankford	Schuenemann
Little	Waggoner
Mann	

Absent

Alexander	Hull
Bates	Leonard
Blankenship	Loggins
Bradford	Patterson of Mills
Davison of Fisher	Patterson
Dean	of Travis
Dollins	Prescott
Farmer	Settle
Felty	Shell
Hardin	Weldon
Howard	

Absent—Excused

Carssow	Oliver
Fielden	Quinn
Heflin	Smith
Hyder	of Matagorda
McCracken	Stevenson
McKee	

Mr. Petsch submitted the following motion:

Mr. Speaker:

"I move the adoption of the conference committee report on Senate Bill No. 3."

Mr. Jones of Wise moved the previous question on the conference committee report on Senate Bill No. 3, and the main question was ordered.

Question recurring on the motion by Mr. Petsch, that the report be adopted, yeas and nays were demanded.

The report was adopted by the following vote:

Yeas—114

Adkins	Cagle
Alexander	Callan
Alsup	Cathey
Amos	Cauthorn
Baker	Celaya
Beckworth	Cleveland
Bell	Davis of Haskell
Blankenship	Davis of Jasper
Boethel	Davisson
Bond	of Eastland
Boyer	Deglandon
Bradbury	Derden
Broadfoot	Dickison
Brown	England
Burton	Fox

Fuchs	Moffett
Gibson	Monkhouse
Graves	Morris
Hamilton	Newton
Hanna	Nicholson
Harbin	Palmer
Harper	Patterson
Harrell	of Travis
Harris of Archer	Petsch
Harris of Dallas	Powell
Harris of Dickens	Prescott
Hartzog	Ragsdale
Herzik	Reed of Bowie
Holland	Reed of Dallas
Hoskins	Rhodes
Howard	Riddle
Huddleston	Ross
Hull	Russell
James	Rutta
Johnson of Ellis	Schuenemann
Johnson	Sewell
of Tarrant	Sharpe
Jones of Angelina	Shell
Jones of Atascosa	Simpson
Jones of Falls	Skaggs
Jones of Wise	Smith of Hopkins
Keefe	Smith of Tarrant
Kelt	Stinson
Kern	Stocks
King	Talbert
Langdon	Tarwater
Lankford	Tennant
Lanning	Tennyson
Leath	Thornberry
Leonard	Thornton
Leyendecker	Vale
Little	Waggoner
London	Walker
Lucas	Weldon
Mauritz	Westbrook
McConnell	Winfree
McDonald	Wood
McFarland	Worley
Metcalfe	

## Nays—10

Bridgers	Knetsch
Colquitt	Mann
Hankamer	Mays
Keith	Morse
Kenyon	Reader

## Absent

Bates	Jackson
Bradford	Loggins
Davison of Fisher	McKinney
Dean	Patterson of Mills
Dollins	Pope
Farmer	Roark
Felty	Settle
Hardin	

## Absent—Excused

Carssow	Heflin
Fielden	Hyder

McCracken  
McKee  
Oliver  
Quinn

Smith  
of Matagorda  
Stevenson

Mr. Metcalfe moved to reconsider the vote by which the report was adopted, and to table the motion to reconsider.

The motion to table prevailed.

## MESSAGE FROM THE SENATE

Austin, Texas, June 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. C. R. No. 10, Suspending Joint Rules so as to take up, consider and finally pass, House Bills Nos. 73, 79, 82 and 83 during the last 24 hours of this Session.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

## TO SUSPEND CERTAIN RULES

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 10, To suspend certain Rules.

Be It Resolved by the Senate, the House of Representatives concurring, That constitutional rule prohibiting bills to be taken up and passed during the last twenty-four hours of the Session and all other rules be suspended so as to allow and permit House Bills Nos. 73, 79, 82 and 83 to be taken up, considered and finally passed during the last twenty-four hours of the session.

The resolution was read second time, and was adopted by the following vote:

## Yeas—119

Adkins	Cagle
Alsup	Callan
Amos	Cathey
Baker	Cauthorn
Beckworth	Cleveland
Bell	Colquitt
Boethel	Davis of Haskell
Bond	Davis of Jasper
Boyer	Davisson
Bradbury	of Eastland
Bridgers	Deglandon
Brown	Derden
Burton	Dickison



England	McFarland
Fox	McKinney
Fuchs	Metcalfe
Gibson	Moffett
Graves	Monkhouse
Hamilton	Morris
Hankamer	Morse
Hanna	Newton
Harbin	Nicholson
Harper	Palmer
Harrell	Patterson
Harris of Archer	of Travis
Harris of Dallas	Petsch
Harris of Dickens	Pope
Hartzog	Powell
Herzik	Prescott
Holland	Ragsdale
Hoskins	Reader
Howard	Reed of Bowie
Huddleston	Reed of Dallas
Hull	Rhodes
James	Riddle
Johnson of Ellis	Roark
Johnson	Ross
of Tarrant	Russell
Jones of Angelina	Rutta
Jones of Atascosa	Schuenemann
Jones of Falls	Sewell
Jones of Wise	Sharpe
Keefe	Shell
Keith	Simpson
Kelt	Skaggs
Kern	Smith of Hopkins
King	Smith of Tarrant
Knetsch	Stinson
Langdon	Talbert
Lankford	Tarwater
Lanning	Tennant
Leath	Tennyson
Leonard	Thornberry
Leyendecker	Thornton
Little	Vale
London	Waggoner
Lucas	Walker
Mauritz	Westbrook
Mays	Winfree
McConnell	Wood
McDonald	Worley

## Absent

Alexander	Felty
Bates	Hardin
Blankenship	Jackson
Bradford	Kenyon
Broadfoot	Loggins
Celaya	Mann
Davison of Fisher	Patterson of Mills
Dean	Settle
Dollins	Stocks
Farmer	Weldon

## Absent—Excused

Carssow	Heflin
Fielden	Hyder

McCracken	Smith
McKee	of Matagorda
Oliver	Stevenson
Quinn	

## CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 13

Mr. Stinson, Chairman, submitted the following Conference Committee Report on Senate Bill No. 13:

Committee Room,

Austin, Texas, June 24, 1937.

Honorable Walter F. Woodul, President of the Senate.

Honorable R. W. Calvert, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House, on Senate Bill No. 13, beg leave to report that we have agreed on the differences and recommend the passage of the bill hereto attached.

Respectfully,

WESTERFELD,  
NEWTON,  
MOORE,  
PACE,

On the part of the Senate.

STINSON,  
HAMILTON,  
BROWN,  
WOOD,  
HANNA,

On the part of the House.

S. B. No. 13,

## A BILL

To Be Entitled

An Act providing that in certain counties all persons convicted by a municipal court of such counties, either laying out their fines in a city jail or working out such fines shall receive a credit therefor of One (\$1.00) Dollar per day; and in certain counties all prisoners or convicts either laying out their fines in jail or working out said fines shall receive a credit of One Dollar per day, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. In all of the counties in this State containing a population of not less than three hundred twenty-five thousand (325,000) nor more than three hundred forty-five thousand (345,000), according to the last

preceding and each succeeding Federal Census, all persons convicted by a Municipal Court of said counties, either laying their fines out in city jail or working out said fines, shall receive a credit therefor of One (\$1.00) Dollar per day for each day worked, or spent in jail.

Sec. 2. In all counties in this State containing a population of not less than thirty thousand, four hundred (30,400) nor more than thirty thousand, six hundred (30,600); and containing a population of not less than 50,000 and not more than 50,100; and containing a population of not less than 41,000 nor more than 42,000; and containing a population of not less than 43,035 nor more than 43,050, according to the last preceding Federal Census, and in succeeding Federal Census, all prisoners or convicts either laying their fines out in city or county jails or working out said fines, shall receive a credit therefor of One (\$1.00) Dollar per day for each day working or spent in jail.

Sec. 3. The fact of the importance of this legislation creates an emergency and an imperative public necessity, that the Constitutional Rule requiring bills to be read on three several days in each House, be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Mr. Stinson, the report was adopted by the following vote:

Yeas—115

Adkins	Davisson
Alsup	of Eastland
Amos	Deglandon
Baker	Derden
Beckworth	Dickison
Bell	England
Boethel	Felty
Bond	Fox
Boyer	Fuchs
Bradbury	Gibson
Bridgers	Graves
Brown	Hamilton
Burton	Hankamer
Cagle	Hanna
Callan	Harbin
Cathey	Harper
Cauthorn	Harrell
Celaya	Harris of Archer
Cleveland	Harris of Dallas
Colquitt	Harris of Dickens
Davis of Haskell	Hartzog
Davis of Jasper	Herzik

Holland	Palmer
Hoskins	Patterson
Huddleston	of Travis
Hull	Petsch
Johnson of Ellis	Powell
Johnson	Prescott
of Tarrant	Ragsdale
Jones of Angelina	Reader
Jones of Falls	Reed of Bowie
Jones of Wise	Reed of Dallas
Keefe	Rhodes
Keith	Riddle
Kelt	Roark
Kern	Russell
King	Rutta
Knetsch	Schuenemann
Langdon	Sewell
Lankford	Sharpe
Lanning	Shell
Leath	Simpson
Leonard	Skaggs
Leyendecker	Smith of Hopkins
Little	Smith of Tarrant
London	Stinson
Lucas	Talbert
Mann	Tarwater
Mauritz	Tennant
Mays	Tennyson
McConnell	Thornberry
McFarland	Thornton
Metcalfe	Vale
Moffett	Waggoner
Monkhouse	Walker
Morris	Westbrook
Morse	Winfree
Newton	Wood
Nicholson	Worley

#### Absent

Alexander	James
Bates	Jones of Atascosa
Blankenship	Kenyon
Bradford	Loggins
Broadfoot	McDonald
Davison of Fisher	McKinney
Dean	Patterson of Mills
Dollins	Pope
Farmer	Ross
Hardin	Settle
Howard	Stocks
Jackson	Weldon

#### Absent—Excused

Carssow	Oliver
Fielden	Quinn
Heflin	Smith
Hyder	of Matagorda
McCracken	Stevenson
McKee	

#### CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 19

Mr. Lucas, Chairman, submitted the following Conference Committee Report on Senate Bill No. 19:

Austin, Texas, June 24, 1937.  
 Honorable Walter F. Woodul, President of the Senate.  
 Honorable R. W. Calvert, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences in Senate Bill No. 19, beg leave to report that we have had the same under consideration and recommend that it do pass in the form and text attached hereto.

Respectfully submitted,

BURNS,  
 MOORE,  
 COTTEN,  
 BECK,  
 ISBELL,

On the part of the Senate.

LUCAS,  
 BRADBURY,  
 POWELL,  
 WELDON,  
 LOGGINS,

On the part of the House.

S. B. No. 19,

#### A BILL

#### To Be Entitled

An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits a city or town which according to the last Federal Census had a population of not less than four hundred (400) and not more than four hundred and fifty (450) inhabitants, and in counties having not less than thirty thousand, four hundred (30,400) and not more than thirty thousand, six hundred (30,600) inhabitants according to the last Federal Census, whether organized under General or Special laws; fixing the maximum of tax to be levied for school purposes in common school districts wherein a public free school building may have been destroyed by fire, or may be destroyed by fire, provided such districts lie within a county having a population of not less than thirteen thousand, six hundred and thirty (13,630) nor more than thirteen thousand, six hundred and ninety-nine (13,699), according to the last preceding or any future Federal Census, whether such common school district was organized under General or Special laws, repealing all laws in conflict herewith, both General

and Special, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. In any independent school district having and including within its limits a city or town which according to the last Federal Census had a population of not less than four hundred (400) and not more than four hundred and fifty (450) inhabitants, and in counties having not less than thirty thousand, four hundred (30,400) and not more than thirty thousand, six hundred (30,600) inhabitants according to the last Federal Census, the school district trustees of the independent school district, whether such independent school district was created under the General Laws or any Special Law or Laws, shall have the power to levy and cause to be collected the annual taxes herein authorized, subject to the following provisions:

(1) For the maintenance of the public schools therein an ad valorem tax not to exceed One Dollar and Fifty Cents (\$1.50) on the One Hundred (\$100.00) Dollars valuation of taxable property of the district;

(2) For the purchase, construction, repair or equipment of public free school buildings within the limits of such districts and the purchase of the necessary sites therefor, an ad valorem tax not to exceed seventy-five (75c) cents on the One Hundred (\$100.00) Dollars valuation of taxable property of the district, such tax to be for the payment of the current interest on and provide a sinking fund sufficient to pay the principal of bonds which such districts are empowered to issue for such purpose;

(3) The amount of maintenance tax, together with the amount of bond tax of any such district shall never exceed One Dollar and Fifty Cents (\$1.50) on the One Hundred (\$100.00) Dollars valuation of taxable property within such district; and if the rate of bond tax, together with the rate of maintenance tax voted in the district shall at any time exceed One Dollar and Fifty Cents (\$1.50) on the One Hundred (\$100.00) Dollars valuation, such bond tax shall operate to reduce the maintenance tax to the difference between the rate of the bond tax and One Dollar and Fifty Cents (\$1.50);

(4) No tax shall be levied, collected, abrogated, diminished or in-

creased, and no bond shall be issued hereunder, until such action has been authorized by a majority of the votes cast at an election held in the district for such purpose, at which none but property tax-paying qualified voters of such district shall be entitled to vote.

Section 1a. In any common school district wherein a public free school building may have burned or may burn or be destroyed by fire, such common school district being located within a county having a population of not less than thirteen thousand, six hundred and thirty (13,630), nor more than thirteen thousand, six hundred and ninety-nine (13,699), according to the last preceding or any future Federal Census, whether such common school district was created under the general laws or any special law or laws, the Commissioners Court of such common school district shall have the power to levy and cause to be collected the annual tax herein authorized, subject to the following provisions:

(1) For the maintenance of the public schools therein an ad valorem tax not to exceed One Dollar and Fifty Cents (\$1.50) on the One Hundred (\$100.00) Dollars valuation of taxable property of the district;

(2) For the purchase, construction, repair, or equipment of public free school buildings within the limits of such districts and the purchase of the necessary sites therefor, an ad valorem tax not to exceed seventy-five cents (75c) on the One Hundred (\$100.00) Dollars valuation of taxable property of the district, such tax to be for the payment of the current interest on and provide a sinking fund sufficient to pay the principal on bonds which such districts are empowered to issue for such purpose;

(3) The amount of maintenance tax, together with the amount of bond tax of any such district shall never exceed One Dollar and Fifty Cents (\$1.50) on the One Hundred (\$100.00) Dollars valuation of taxable property within such district; and if the rate of bond tax, together with the rate of maintenance tax voted in the district shall at any time exceed One Dollar and Fifty Cents (\$1.50) on the One Hundred (\$100.00) Dollars valuation, such bond tax shall operate to reduce the maintenance tax to the difference between the rate of the bond tax and One Dollar and Fifty Cents (\$1.50);

(4) No tax shall be levied, collected, abrogated, diminished, or increased, and no bond shall be issued hereunder, until such action has been authorized by a majority of the votes cast at an election held in the district for such purpose, at which none but property tax-paying qualified voters of such district shall be entitled to vote;

Sec. 2. All laws and parts of laws, both general and special, in conflict herewith are hereby repealed.

Sec. 3. The importance of this legislation and the crowded condition of the calendar creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and this Act shall be in force and take effect from and after its passage, and it is so enacted.

On motion of Mr. Lucas, the report was adopted by the following vote:

Yeas—112

Adkins	Harris of Archer
Alsup	Harris of Dallas
Amos	Harris of Dickens
Baker	Herzik
Beckworth	Holland
Bell	Hoskins
Boethel	Hull
Boyer	James
Bradbury	Johnson of Ellis
Bridgers	Johnson
Brown	of Tarrant
Burton	Jones of Angelina
Cagle	Jones of Atascosa
Callan	Jones of Falls
Cathey	Jones of Wise
Cauthorn	Keefe
Celaya	Keith
Cleveland	Kelt
Colquitt	Kern
Davis of Haskell	King
Davis of Jasper	Knetsch
Davisson	Langdon
of Eastland	Lankford
Deglandon	Lanning
Derden	Leath
Dickison	Leonard
England	Leyendecker
Felty	Little
Fox	London
Fuchs	Lucas
Gibson	Mauritz
Graves	McConnell
Hamilton	McFarland
Hankamer	Metcalfe
Hanna	Moffett
Harbin	Monkhouse
Harper	Morris

Morse	Simpson
Newton	Skaggs
Nicholson	Smith of Hopkins
Patterson	Smith of Tarrant
of Travis	Stinson
Petsch	Stocks
Pope	Talbert
Powell	Tarwater
Prescott	Tennant
Ragsdale	Tennyson
Reed of Bowie	Thornberry
Reed of Dallas	Thornton
Rhodes	Vale
Riddle	Waggoner
Roark	Walker
Russell	Weldon
Rutta	Westbrook
Schuenemann	Winfree
Sewell	Wood
Sharpe	Worley
Shell	

## Absent

Alexander	Huddleston
Bates	Jackson
Blankenship	Kenyon
Bond	Loggins
Bradford	Mann
Broadfoot	Mays
Davison of Fisher	McDonald
Dean	McKinney
Dollins	Palmer
Farmer	Patterson of Mills
Hardin	Reader
Harrell	Ross
Hartzog	Settle
Howard	

## Absent—Excused

Carssow	Oliver
Fielden	Quinn
Heflin	Smith
Hyder	of Matagorda
McCracken	Stevenson
McKee	

## HOUSE BILL NO. 40 WITH SENATE AMENDMENTS

Mr. Celaya called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 40, A bill to be entitled "An Act providing an open season for taking mourning doves and white winged doves in the State of Texas; providing a bag limit and possession limit for such birds; providing the means by which same may be taken; providing the hours for shooting during the open season; providing a penalty for violation of any provision of this Act; repealing all laws in conflict with any provision of this Act, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

Mr. Celaya moved that the House concur in the Senate amendments.

Mr. Hoskins moved, as a substitute motion, that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The substitute motion by Mr. Hoskins prevailed.

## MESSAGE FROM THE GOVERNOR

The Speaker laid before the House, and had read the following message from the Governor:

Austin, Texas, June 24, 1937.

To the Members of the Forty-fifth Legislature: (In First Called Session)

I am disapproving and vetoing the following items of House Bill No. 1, Acts of the First Called Session of the Forty-fifth Legislature, which was received by me at the Governor's Office on June 21, 1937, for the following reasons, to-wit:

## 1.

Section 6, page 6, for the reason that the appropriation of \$3,000.00 made to the Board of Water Engineers for the purpose of securing necessary and adequate quarters is inadequate to secure sufficient space as is required by such Board. Furthermore, it is only a question of a short time until the State will be required to build an office building to house the already overcrowded State buildings, together with other departments that are now occupying rented quarters. I think the Highway Department should be willing to be a little crowded along with the other departments of State.

## 2.

Section 7, Subsection b, page 7. The appropriation for the Textbook Administration Division of the State Board of Education was vetoed by me in the general appropriation bill of the Forty-fifth Legislature in Regular Session at the request of the State Board of Education. I, therefore, for the same reason veto Section 7, Subsection b, page 7, which seeks to correct an erroneous repetition in such Textbook Administration Division which has been vetoed by me as aforesaid.

## 3.

Section 15, page 10. The law permitting race track gambling has been repealed and I vetoed the appropriation for the Racing Commission for the ensuing biennium. I, therefore, veto and disapprove said Section 15, page 10, which is an amendment to the appropriation for the Texas Racing Commission which was contained in S. B. 138, Regular Session of the Forty-fifth Legislature, which was by me vetoed and disapproved as aforesaid.

## 4.

Section 20, page 13, being an appropriation to the State Treasurer for the purpose of making refunds. I doubt the validity of this provision, which authorizes the State Treasurer to return funds that have been deposited in the Treasury without an Act of the Legislature, which would appear to me to be the best method of correcting any errors made.

I am approving said House Bill No. 1, subject only to the items specifically vetoed in this message, and a copy of this message vetoing said specific items in House Bill No. 1 is ordered to be attached to the bill and filed with the Secretary of State.

Respectfully submitted,  
JAMES V. ALLRED,  
Governor of Texas.

CONFERENCE COMMITTEE AP-  
POINTED ON HOUSE BILL  
NO. 40

The Speaker announced the appointment of the following Conference Committee, on the part of the House, on House Bill No. 40: Messrs. Jones of Falls, Hoskins, Harper, Celaya and Alexander.

MESSAGE FROM THE SENATE

Austin, Texas, June 25, 1937.  
Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 82, A bill to be entitled "An Act amending Acts of 1935, Forty-fourth Legislature, and declaring an emergency."

Respectfully,  
BOB BARKER,  
Secretary of the Senate.

HOUSE BILL NO. 45 WITH SENATE  
AMENDMENTS

Mr. Cathey called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 45, A bill to be entitled "An Act amending Article 793, Chapter 4, Code of Criminal Procedure, 1925, authorizing the Commissioners Court of each county in Texas to fix the rate of wages to be paid county convicts committed to workhouse, county farm or public improvements at an amount per day not less than \$1.00 nor more than \$3.00, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

On motion of Mr. Cathey, the House concurred in the Senate amendments by the following vote:

Yeas—104

Alexander	Hull
Alsup	James
Amos	Johnson of Ellis
Baker	Johnson
Beckworth	of Tarrant
Bell	Jones of Angelina
Boethel	Jones of Atascosa
Bond	Jones of Wise
Boyer	Keefe
Bradbury	Kelt
Bridgers	Kern
Brown	King
Burton	Knetsch
Cagle	Langdon
Callan	Lanning
Cathey	Leonard
Cauthorn	Leyendecker
Cleveland	Little
Colquitt	London
Davis of Haskell	Lucas
Davis of Jasper	Mauritz
Davisson	Mays
of Eastland	McConnell
Deglandon	McFarland
Derden	McKinney
Dickison	Metcalfe
England	Moffett
Felty	Monkhouse
Fox	Morris
Fuchs	Morse
Gibson	Nicholson
Graves	Palmer
Hamilton	Patterson
Hankamer	of Travis
Hanna	Petsch
Harrell	Pope
Harris of Archer	Powell
Harris of Dallas	Prescott
Huddleston	Ragsdale

Reader	Smith of Hopkins
Reed of Bowie	Smith of Tarrant
Reed of Dallas	Stinson
Rhodes	Talbert
Riddle	Tarwater
Roark	Tennyson
Ross	Thornberry
Russell	Thornton
Rutta	Vale
Schuenemann	Waggoner
Sewell	Walker
Sharpe	Weldon
Shell	Westbrook
Simpson	Worley
Skaggs	

Nays—1

Mann

Absent

Adkins	Hoskins
Bates	Howard
Blankenship	Jackson
Bradford	Jones of Falls
Broadfoot	Keith
Celaya	Kenyon
Davison of Fisher	Lankford
Dean	Leath
Dollins	Loggins
Farmer	McDonald
Harbin	Newton
Hardin	Patterson of Mills
Harper	Settle
Harris of Dickens	Stocks
Hartzog	Tennant
Herzik	Winfree
Holland	Wood

Absent—Excused

Carssow	Oliver
Fielden	Quinn
Heflin	Smith
Hyder	of Matagorda
McCracken	Stevenson
McKee	

## MESSAGE FROM THE SENATE

Austin, Texas, June 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 73, A bill to be entitled "An Act providing for the maximum amount of fees that may be retained by the Assessor-Collector of taxes in all counties having a population of not less than 13,350 and not more than 13,440, according to the most recent available Federal Census and each available Federal Census thereafter; repealing all laws and parts of laws

in conflict herewith, and declaring an emergency." (With amendments.)

The Senate has refused to grant the request of the House for a conference committee on House Bill No. 40.

Respectfully,

BOB BARKER,

Secretary of the Senate.

ADDITIONAL QUESTIONNAIRE  
FILED

This is to certify that I do not now, nor have I at any time during my term as Member of the Legislature, received any retainer fee from any one individual or firm or corporation.

EDGAR S. KEEFE,

Sworn to and subscribed before me this 25th day of June, 1937.

(Seal)

ADELE JACOBS,

Notary Public for  
Travis County.

## MESSAGE FROM THE SENATE

Austin, Texas, June 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 79, A bill to be entitled "An Act to amend House Bill No. 804, Regular Session, Forty-fifth Legislature by providing for the transportation of fish in one container under certain specified conditions."

Respectfully,

BOB BARKER,

Secretary of the Senate.

HOUSE BILL NO. 73 WITH SENATE  
AMENDMENTS

Mr. Smith of Hopkins called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 73, A bill to be entitled "An Act providing for the maximum amount of fees that may be retained by the Assessor-Collector of taxes in all counties having a population of not less than 13,350 and not more than 13,440, according to the most recent available Federal Census and each available Federal Census thereafter; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

On motion of Mr. Smith of Hopkins, the House concurred in the Senate amendments by the following vote:

## Yeas—114

Adkins	King
Alsup	Knetsch
Amos	Langdon
Baker	Lankford
Beckworth	Lanning
Blankenship	Leath
Boethel	Leonard
Bond	Leyendecker
Boyer	Little
Bradbury	Loggins
Bridgers	London
Broadfoot	Lucas
Brown	Mann
Burton	Mauritz
Cagle	Mays
Callan	McConnell
Cauthorn	McDonald
Celaya	McFarland
Cleveland	McKinney
Colquitt	Metcalfe
Davis of Haskell	Moffett
Davis of Jasper	Monkhouse
Davisson	Morris
of Eastland	Morse
Deglandon	Newton
Dickson	Palmer
Derden	Patterson
England	of Travis
Felty	Pope
Fox	Prescott
Fuchs	Reed of Bowie
Gibson	Reed of Dallas
Graves	Rhodes
Hamilton	Roark
Hankamer	Ross
Hanna	Russell
Harbin	Rutta
Harper	Schuenemann
Harrell	Sewell
Harris of Archer	Sharpe
Harris of Dallas	Shell
Harris of Dickens	Simpson
Hartzog	Skaggs
Herzik	Smith of Hopkins
Hoskins	Smith of Tarrant
Huddleston	Stinson
Hull	Stocks
Jackson	Talbert
James	Tarwater
Johnson of Ellis	Tennyson
Johnson	Thornton
of Tarrant	Vale
Jones of Angelina	Waggoner
Jones of Atascosa	Walker
Jones of Falls	Weldon
Jones of Wise	Westbrook
Keefe	Winfree
Keith	Worley
Kern	

## Nays—1

Wood

## Absent

Alexander	Kelt
Bates	Kenyon
Bell	Nicholson
Bradford	Patterson of Mills
Cathey	Petsch
Davison of Fisher	Powell
Dean	Ragsdale
Dollins	Reader
Farmer	Riddle
Hardin	Settle
Holland	Tennant
Howard	Thornberry

## Absent—Excused

Carssow	Oliver
Fielden	Quinn
Heflin	Smith
Hyder	of Matagorda
McCracken	Stevenson
McKee	

## RELATIVE TO HOUSE BILL NO. 40

Mr. Jones of Falls moved to reconsider the vote by which the House refused to concur in the Senate amendments to House Bill No. 40.

Mr. Hoskins moved to table the motion to reconsider.

The motion to table prevailed.

## MESSAGE FROM THE SENATE

Austin, Texas, June 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 83, A bill to be entitled "An Act making it unlawful for a person or persons to gig certain fish in Caddo Lake, and declaring an emergency."

Adopted the conference committee report on House Bill No. 12 by a viva voce vote.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 12

Mr. McKee, Chairman, submitted the following Conference Committee Report on House Bill No. 12:



Conference Committee Room,  
Austin, Texas, June 25, 1937.  
Honorable Walter F. Woodul, President of the Senate.

Honorable Robert W. Calvert, Speaker of the House.

Sirs: We, your Conference Committee, appointed to adjust the differences between the House and the Senate on House Bill No. 12, beg leave to report that we have adjusted the differences and recommend passage of the bill attached hereto.

VAN ZANDT,  
SULAK,  
NEAL,  
WOODRUFF,  
On the part of the Senate.

McKEE,  
KELT,  
SHELL,  
MONKHOUSE,  
ALEXANDER,  
On the part of the House.

H. B. No. 12,

#### A BILL

#### To Be Entitled

An Act providing and giving to the Commissioner of Agriculture certain authority relating to State-owned jacks and stallions and the lease thereof; providing for a maximum breeding fee; providing a lease fee of Thirty (\$30.00) Dollars and the disposition thereof; providing for the care and maintenance of such jacks and stallions; providing for title to such jacks and stallions to be in the State of Texas; providing for a contract between the Commissioner of Agriculture and the caretakers and keepers; providing a bond for the protection of such animals; providing for the appointment of supervisors of jacks and stallions by the Commissioner of Agriculture and the payment of said supervisors' salaries and all expenses incident to the supervision of jacks and stallions with certain limitations; providing for the refunding of certain breeding fees incident to the breeding fees of 1936-1937 with limitations; providing for disposal of unfit animals by the Board of Control and for the transfer of present funds by the Comptroller and Treasurer; providing the carrying over of unexpended balances to the next biennium and the expenditures thereof, subject to the biennial appropria-

tions therefor; providing for the support and maintenance of the Department of Agriculture out of certain funds, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. From and after the date of September 1, 1937, the Commissioner of Agriculture of the State of Texas is hereby directed and authorized to distribute throughout the State of Texas, on a lease basis as herein-after provided, the jacks and stallions purchased by the State of Texas under the terms and provisions of Acts of the Regular Session, Forty-third Legislature, Chapter 163, page 433, as amended by Acts of the Forty-third Legislature, First Called Session, Chapter 10, page 32. And said Commissioner of Agriculture is further directed and authorized to name some suitable person, experienced in the handling of jacks and stallions, as caretaker of such jack or stallion. The Commissioner of Agriculture shall adopt and carry out reasonable rules and regulations with respect to the leasing and distribution, care, use and maintenance of such animals. Provided further that the title of all such jacks and stallions hereinbefore mentioned shall be and remain in the State of Texas. Provided further that in the event the Commissioner of Agriculture is unable to place any of such animals as herein provided due in any manner to defects or unfitness for breeding purposes, then the Commissioner of Agriculture is hereby authorized and directed to turn such animals over to the State Board of Control, who shall dispose of same to the best interest of the State.

Before any of the jacks or stallions are leased and distributed as herein provided, the Commissioner of Agriculture shall allocate and tender to the Texas Prison System two jacks and one stallion and after said jacks and stallion have been accepted by the Texas Prison Board, the Commissioner of Agriculture shall thereafter exercise no control or management over such animals. Such animals shall thereafter remain and be the property of the Texas Prison System for its uses and purposes, and said jacks and stallions are to be selected by the Commissioner of Agriculture and General Manager of the Texas Prison System from those jacks and stallions now owned by the State

of Texas under the provisions of Chapter 10, Acts of the First Called Session, Forty-third Legislature. And all expenses incurred by the Commissioner of Agriculture in delivering said jacks and stallions to the Texas Prison System shall be borne by said System.

Section 2. From and after the effective date of this Act the Commissioner of Agriculture shall distribute the jacks and stallions aforesaid throughout the State of Texas where there is most need shown, to competent and capable caretakers who shall agree and pay to the State of Texas the sum of \$30.00 in advance as an annual rental for the use of such jack or stallion, as the case may be, and who shall first enter into a written contract with the Commissioner of Agriculture all such conditions and terms as may be determined by the Commissioner. In addition thereto each keeper shall be required to enter into a bond with two or more good and sufficient sureties, payable to the State of Texas, upon the approval of the Commissioner of Agriculture, conditioned that such caretaker shall in good faith, feed, water, care for and properly handle such animals. Such bond to be in the sum of not less than the market value of said animal or animals as determined by the Commissioner of Agriculture.

The Commissioner of Agriculture is hereby directed to contract with such keepers or caretakers to terminate on July 1 of each year such contracts to be terminated before that time when in the opinion of the Commissioner of Agriculture, or his agents, such animals are not being properly cared for as provided in the terms of such contracts and no lease shall extend for a period to exceed one year.

The contract hereinabove provided for shall in addition to the provisions herein set forth include one which will permit the use of such jack or stallion by said caretaker for the purposes to which he may be assigned in said contract and in no event shall the keeper or caretaker make a service charge of more than Ten (\$10.00) Dollars for each foal and such caretaker or keeper shall personally be liable for all refunds in guaranteeing a foal and in no event shall the State of Texas be liable directly or indirectly therefor. And it is expressly provided that the \$30.00 paid as

herein provided shall be all the demand or claim that the State of Texas shall have against such keeper or caretaker for rendering the services herein provided and the sum or sums herein provided as a charge for breeding fees shall be the only compensation said keeper or caretaker may claim of or from the State of Texas, therefor.

Section 3. The money derived from the leasing of the animals hereinabove mentioned shall be deposited by the Commissioner of Agriculture in the State Treasury where it shall be set up as a "Special Jack and Stallion Fund" to be used by the Commissioner to pay the salaries of two competent supervisors at not to exceed Eighteen Hundred (\$1,800.00) Dollars per year each for salaries and who shall receive the actual and necessary traveling expenses while away from Austin in the performance of their duties, which expenses shall not exceed amounts allowed other State employees under the terms and provisions of Senate Bill 138, Acts of the Forty-fifth Legislature, Regular Session, 1937, and in no event shall the salaries and expenses herein authorized exceed the amount collected annually from the lease or hire of animals as herein provided.

Section 4. All moneys now on hand and accruing to the Jack and Stallion Account under H. B. 779, Acts of the Forty-fourth Legislature, Regular Session, and amended by H. B. 8, Chapter 495, Forty-fourth Legislature, Third Called Session, are hereby transferred to the Special Jack and Stallion Fund to be used by the Commissioner of Agriculture for making refunds on breedings heretofore reported in conformity with refunding provisions of H. B. 779, Acts of the Regular Session of the Forty-fourth Legislature, and for the payment of all other expenses incurred in the administration of this Act, subject to the biennial appropriation for the year ending August 31, 1939. The State Comptroller and the State Treasurer are hereby authorized and directed to make such transfers.

After transferring from said Special Racing Fund the said twenty-five (25%) per cent going to the State Available School Fund and after transferring from said Special Racing Fund all moneys on hand and accruing to the Special Jack and Stallion Fund, the balance then remaining in said

Special Racing Fund until it becomes exhausted, shall be used for the payment of the appropriations by the Legislature for the support and maintenance of the State Department of Agriculture as said appropriations for the Department shall be fixed and allowed by the Legislature of the State of Texas from time to time. It is the intent of the Legislature hereby that the above distribution shall immediately be made and the money so transferred shall become available now and for any and all appropriations made by the Regular Session of the Forty-fifth Legislature for the support and maintenance of the State Department of Agriculture and that the General Revenue Fund shall not be drawn on until all moneys in the Special Racing Fund shall become exhausted, and all unexpended balances remaining on hand, at the end of the current biennium ending August 31, 1937, shall be carried over in the succeeding biennium to the use and benefit of the said State Department of Agriculture, as provided by law; providing however, that no refunds of breeding fees shall extend beyond January 1, 1938.

Section 5. The fact that a Special Session of the Forty-fifth Legislature is now in session to consider the provisions set forth hereinabove, creates an emergency and an imperative public necessity that the Constitutional Rule providing a bill to be read on three (3) several days in each House be suspended, and said Rule is hereby suspended, and that this Act shall have effect and be in force from and after its passage, and it is so enacted.

Mr. McKee moved that the report be adopted.

Mr. Morris moved that the report be tabled.

Question recurring on the motion to table, it was lost.

The Conference Committee Report on House Bill No. 12 was then adopted.

Mr. Alexander moved to reconsider the vote by which the report was adopted, and to table the motion to reconsider.

The motion to table prevailed.

#### TO PROVIDE FOR CERTAIN POST SESSION WORK

Mr. Alsop offered the following resolution:

Whereas, It is necessary that the House Journal be properly bound and

indexed for publication; now, therefore, be it

Resolved, That two hundred and fifty copies of the House Journal of the First Called Session of the Forty-fifth Legislature, when completed, shall be printed and shall be bound in buckram, and that one volume, when thus bound and indexed, shall be forwarded by the Journal Clerk of the House to each Member of the House of Representatives, to each elective officer of the House, and to each Senator, and the remaining copies shall be turned over to the Secretary of State.

The printing of such House Journals in permanent form shall be done in accordance with pre-existing laws and with the provisions of this resolution, under the supervision of the Journal Clerk of the House.

It is further provided that it shall be the duty of the Journal Clerk of the House of Representatives not to receive or receipt for said House Journals until correctly published as required herein and by pre-existing laws; provided, that the Journal Clerk shall be empowered to leave out of the Permanent Journal all bills which have been printed in the daily Journal.

When said Journals have been published, and the account approved by the State Printing Board, the same shall be paid out of the Contingent Expense Fund of the First Called Session of the Forty-fifth Legislature; providing that the Chairman of the Committee on Contingent Expenses shall not issue voucher for said amount until the Journal Clerk has certified to him that the Journals have been published and delivered in accordance with the provisions of this resolution.

It is further provided that the Speaker may retain such employees that he may deem necessary to properly care for the Hall of the House of Representatives, and such employment that may be necessary to properly close the affairs of the various departments during the interim of the First Called Session of the Forty-fifth Legislature and the convening of the next Session.

The resolution was read second time, and was adopted.

**PROVIDING FOR APPOINTMENT  
OF COMMITTEES TO NOTIFY  
THE GOVERNOR AND  
THE SENATE**

Mr. Thornberry offered the following resolution:

Be It Resolved, That the Speaker appoint two committees of five Members each to notify the Governor and the Senate that the House has completed its labors and is now ready to adjourn sine die.

The resolution was read second time, and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee to notify the Governor: Messrs. Bradbury, Kenyon, Harrell, Harris of Dallas and Petsch.

In accordance with the above action, the Speaker announced the appointment of the following committee to notify the Senate: Messrs. Morse, Thornberry, Alsup, Wood and Boethel.

**RELATIVE TO SPEAKER'S APARTMENT**

Mr. Brown offered the following resolution:

Whereas, The windows and doors to the Speaker's apartment have no screens; and

Whereas, The mosquitoes are very bad in said apartment, making the apartment very uncomfortable and undesirable; and

Whereas, The expense instituted to placing screens over the windows and doors is very small, now, therefore, be it

Resolved, That the Chairman of the Contingent Expense Account, the Honorable Lonnie Alsup, be authorized to have said screens placed on all windows and doors in the Speaker's apartment at the earliest convenient date.

**BROWN,  
KNETSCH.**

The resolution was read second time, and was adopted.

**TO SUSPEND CERTAIN RULES  
TO CONSIDER CERTAIN  
RESOLUTION**

Mr. Amos moved to suspend all Rules for the purpose of considering House Simple Resolution No. 44.

The motion was lost.

Mr. Amos again moved that all Rules be suspended for the purpose

of considering House Simple Resolution No. 44.

The motion prevailed.

**BILLS AND RESOLUTIONS  
SIGNED BY THE  
SPEAKER**

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolutions:

H. C. R. No. 14, To grant certain District Judge permission to be absent from the State.

H. B. No. 68, "An Act ratifying, confirming and validating all acts of County Boards of Trustees in laying out or attempting to establish, combine, abolish or change any independent or common school districts, and all elections held in any county in this State for the purpose of laying out, establishing, combining, abolishing or changing any such independent or common school districts; providing that contest may be filed within thirty (30) days after the effective date of this Act; providing this Act shall not affect districts which may be in litigation at this time, and declaring an emergency."

H. B. No. 66, "An Act amending Section 2, of Senate Bill No. 185, Acts of the Forty-fifth Legislature, Regular Session, and declaring an emergency."

H. B. No. 65, "An Act amending Section 11 of Senate Bill No. 185, Acts of the Forty-fifth Legislature, Regular Session, and declaring an emergency."

H. B. No. 63, "An Act to amend Article 2687 of the 1925 Revised Civil Statutes of Texas by adding thereto a new section to be known as Article 2687-a, prescribing the time of meeting of the County Board of School Trustees in counties containing a population of not less than one hundred thirty thousand and not more than one hundred thirty-three thousand, according to the last preceding Federal Census; providing for their compensation; providing the fund from which same shall be paid; providing this Act shall be cumulative of all existing laws on this subject but this Act shall apply where in conflict therewith, and declaring an emergency."

H. B. No. 62, "An Act amending Section 1 of House Bill No. 186, same

being Chapter 10 of the Special Laws of the Forty-third Legislature, Regular Session by extending the closed season on deer in San Augustine and Sabine Counties until February 21, 1939, and declaring an emergency."

H. B. No. 57, "An Act amending Article 3899 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 220, Acts of the Regular Session of the Forty-third Legislature, and as amended by Chapter 311, Acts of the Regular Session of the Forty-fourth Legislature, and as amended by Chapter 465, Acts of the Second Called Session of the Forty-fourth Legislature; providing that criminal district attorneys who perform the duties of District Attorneys in certain counties may incur certain expenses in investigating crime and accumulating evidence in criminal cases, and for the payment for mileage traveled by said criminal district attorneys in automobile furnished by them in the discharge of their official duties; providing that this Act shall be cumulative of all laws not in conflict herewith, and declaring an emergency."

H. B. No. 55, "An Act appointing Directors of San Antonio River Canal and Conservancy District, providing for the appointment of their successors, designating their terms of office, providing for the filling of vacancies, prescribing the oath of office, providing who is eligible for appointment, and declaring an emergency."

H. B. No. 52, "An Act authorizing the Commissioners' Court in each county in this State having a population of not less than 42,125, nor more than 42,150, according to the last preceding Federal Census, to allow each county commissioner certain expenses for traveling and in connection with the use of his automobile on official business in overseeing the construction work on public roads of the county; requiring each such commissioner to pay the expenses of operation and repair of such vehicle so used by him without further expense to the county, and declaring an emergency."

H. B. No. 51, "An Act to prohibit the use of a seine for taking fish in the waters and tributaries of the Bosque River in Hamilton County, Texas; providing, however, for the use of a net during the months of July, August, September, and October for the purpose of taking fish; per-

mitting the use of a minnow seine not more than twenty (20) feet in length for the purpose of taking minnows for bait; providing a penalty; repealing Chapter 47, Acts of the Forty-fourth Legislature, Regular Session; repealing House Bill No. 965, Acts of the Forty-fifth Legislature, Regular Session; and all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 50, "An Act authorizing independent school districts in which there is situated a city with a population of not less than seven thousand one hundred (7,100) and not more than seven thousand two hundred (7,200) according to the last preceding Federal Census to expend not more than fifty (50%) per cent of the taxes assessed and collected for a period not to exceed four (4) years for the purpose of paying warrants issued in the payment of premium upon bonds refinanced and/or refunded by such independent school district at a less rate of interest and thereby create a saving, and in the payment of the actual and necessary cost of refinancing and of refunding said bond, and declaring an emergency."

H. B. No. 48, "An Act creating a special road law for Montague County; authorizing the Commissioners' Court to issue funding bonds or warrants in lieu of certain scrip warrants issued in the year 1937, and validating such scrip; providing the method of issuing the same; making it the duty of the Commissioners' Court to levy a tax sufficient to pay principal and interest as they mature and accrue; making the general laws pertaining to roads and bridges applicable in Montague County and providing that the provisions of this Act shall be effective in case of conflict with any general or special law; providing that if any portion of this Act shall be held invalid, such holding shall not affect the other portions hereof, and declaring an emergency."

H. B. No. 47, "An Act to amend Article 2371 of the Revised Civil Statutes of Texas of 1925, and as amended by House Bill No. 675, Acts of the Forty-fifth Legislature, Regular Session, by providing that in all counties of this State, having a population of two hundred and fifty thousand (250,000), or more, according to the last United States Census, the Commissioners' Court in such county may

expend, in furnishing a rest room for women in the courthouse, or in courthouse buildings or on courthouse grounds, a sum not to exceed Three Hundred (\$300.00) Dollars; and may expend for its maintenance, including the compensation paid by the county to the matron, an amount not to exceed One Hundred (\$100.00) Dollars per month, and declaring an emergency."

H. B. No. 38, "An Act to amend Article 4285, Revised Civil Statutes, 1925, providing the procedure authorizing the issuance of letters of guardianship in estates of non-resident minors, persons of unsound mind and drunkards; and to amend Article 4286, Revised Civil Statutes, 1925, providing for the sale, renting, leasing, leasing for oil and gas and other minerals of personal and real property of non-resident wards, and for the removal of the same, under orders of the court having jurisdiction of such estate; and repealing Article 4289, Revised Civil Statutes of 1925, and declaring an emergency."

H. B. No. 36, "An Act amending Article 2094 of the Revised Civil Statutes of Texas, of 1925, as amended by Acts of the Forty-first Legislature, page 89, Chapter 43, Section 1, and providing that after the effective date of this Act, the provisions of said Article 2094, as amended, shall not apply to counties containing, according to the last preceding Federal Census, a population of not less than twenty-five thousand and not more than thirty-seven thousand and five hundred and containing a city with a population, according to the last preceding Federal Census, of more than twenty-five thousand, and declaring an emergency."

H. B. No. 33, "An Act amending Subsection (L) of Section 19, Chapter 465, Acts of the Forty-fourth Legislature, Second Called Session, by providing that premiums on deputies official bonds shall be a legal and legitimate expense of office in counties containing an excess of 190,000 population, and declaring an emergency."

H. B. No. 30, "An Act declaring it unlawful to take, hunt, trap, shoot or kill any prairie chicken in Colorado and Austin Counties, Texas, for a period of five years; prescribing penalty for violation of the provisions of this Act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 25, "An Act fixing the compensation of County Auditors in every county having a population of not less than one hundred and ninety thousand (190,000) nor more than two hundred thousand (200,000) inhabitants according to the last preceding United States Census and prescribing how the same shall be paid; providing that in such counties where there is a City and County Hospital that the County Auditor shall audit the books and records of such hospital and shall make reports to the county and city governments covering the operation of such hospital and fixing the compensation therefor and prescribing how the same shall be paid; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 60, "An Act repealing Section (1) of Article 8017 of the 1925 Revised Civil Statutes of Texas, and declaring an emergency."

H. B. No. 44, "An Act providing for the amount that may be allowed by County Boards of Trustees to the County Superintendents of Public Instruction for expenditures for office and traveling expenses in certain counties according to the last preceding Federal Census; repealing all laws and parts of laws, General or Special, in conflict herewith, and declaring an emergency."

H. B. No. 39, "An Act granting the Commissioners' Court of Bell County permission to pay out of the General Fund of said County bounties for the destruction of rattlesnakes and predatory animals, and declaring an emergency."

S. B. No. 2, "An Act defining and prohibiting the offenses of 'book making' and of 'pursuing the business of book making'; making it unlawful to permit the use of certain property in connection with book making; prohibiting and regulating the use of certain methods of communication in connection with or in aid of book making; declaring certain property used in connection with book making to be a public nuisance and providing procedure for the abatement of that nuisance; authorizing conviction for any offense under this Act upon the uncorroborated testimony of an accomplice; and exempting from prosecution accomplices who testify; providing the quantum of proof and allegation upon trail of cases arising

ing under this Act; prescribing penalties for a violation of the several provisions hereof; making the provisions of this Act cumulative of existing laws; providing a saving or severance clause, and declaring an emergency."

S. B. No. 29, "An Act amending Chapter 141, Acts, Fortieth Legislature, Regular Session, and House Bill No. 321, Acts, Regular Session, Forty-fifth Legislature, creating the office of the Veterans' State Service Office attached to the Adjutant General's Department; providing for the appointment of a Veterans' State Service Officer and certain Assistant Veterans' State Service Officers, and other necessary personnel; defining the qualifications, authority, and duties of such officers; fixing and authorizing payment of their salaries, travel, and other expenses; providing that the main office shall be located in Austin, Travis County, Texas; repealing all laws and parts of laws in conflict therewith; providing a saving clause, and declaring an emergency."

S. B. No. 28, "An Act validating all time warrants heretofore authorized by the governing bodies of Independent School Districts having a certain scholastic enumeration, etc., and declaring an emergency."

S. B. No. 27, "An Act making an appropriation of the sum of One Hundred Thousand (\$100,000.00) Dollars or so much thereof as may be necessary, out of any funds in the State Treasury, not otherwise appropriated, to pay the contingent expenses, and to pay the mileage and per diem of Members, etc., and declaring an emergency."

S. B. No. 26, "An Act providing that Galveston Street between First and Second Streets in the Unincorporated town site of Balmorhea, Reeves County, Texas, be closed so that a school building may be erected across said street, and declaring an emergency."

S. B. No. 24, "An Act to amend House Bill No. 557, Acts of the Regular Session, Forty-fifth Legislature, by striking out all of Sections 9, 9a, 9b and 9c, and substituting in lieu thereof a new section to be Section 9; etc., and declaring an emergency."

S. B. No. 22, "An Act providing for the validation of the organization and establishment of water improve-

ment districts situated within a water power control district organized under Section 29 of Chapter 76, Acts of the Forty-third Legislature, and declaring an emergency."

S. B. No. 21, "An Act to amend Article 1315 (a) of the Revised Civil Statutes of Texas so that the provisions of said Act shall extend to all private corporations incorporated under the General Laws of Texas; etc., and declaring an emergency."

S. B. No. 18, "An Act authorizing the governing body of the incorporated City of Gladewater, Gregg County, Texas, to close that portion of Quitman Avenue lying between Block 4 and Block 20, and between Block 3 and Block 21 of the original townsite of said city in order that said street may be transferred to and used by the Gladewater County Line Independent School District for school purposes; etc., and declaring an emergency."

S. B. No. 17, "An Act validating certain bonds of certain cities of certain population, etc., and declaring an emergency."

S. B. No. 16, "An Act authorizing counties of a certain class according to population to lease any county hospital of said county to be operated as a county hospital by the lessee; etc., and declaring an emergency."

S. B. No. 15, "An Act validating road bond election in certain county, etc."

S. B. No. 12, "An Act authorizing certain counties by population brackets to borrow money up to a certain amount to supplement funds on hand, etc."

S. B. No. 11, "An Act validating bonds in certain cities, etc., and declaring an emergency."

S. B. No. 10, "An Act correcting a typographical error in Senate Bill No. 139, Acts of the Forty-fifth Legislature, and declaring an emergency."

S. B. No. 20, "An Act providing for certain restrictions on the sale of wine and beer or on premises where consumed; further providing for certain and definite penalties for violations in the traffic of alcoholic beverages and in making and keeping of records of permittees and licensees, etc., and declaring an emergency."

S. B. No. 25, "An Act providing that no county having a population of not less than twenty-eight thousand seven hundred (28,700), nor more

than twenty-nine thousand (29,000), according to the last preceding, or future Federal Census, shall have a county auditor; etc., and declaring an emergency."

S. B. No. 3, "An Act making it unlawful to bet or wager money or anything of value upon any dog race, or upon the result of any race, speed, skill or endurance contest between dogs, to be run or held in this State or elsewhere; providing a penalty, and declaring an emergency."

H. B. No. 82, "An Act amending Acts of 1935, Forty-fourth Legislature, Special Laws, page 1210, Chapter 45, prohibiting transportation of minnows of any and all species outside of the counties wherein such minnows are caught, seined, or taken, by adding thereto the Counties of Parker, Jack and Young, and declaring an emergency."

S. B. No. 19, "An Act fixing the minimum tax to be levied for school purposes in independent school districts in certain cities and towns of certain population, and declaring an emergency."

S. B. No. 13, "An Act providing that in all counties in this State containing a population of not less than three hundred twenty-five thousand (325,000) nor more than three hundred forty-five thousand (345,000), according to the last preceding and each succeeding Federal Census, relative to fines, etc., and declaring an emergency."

H. B. No. 83, "An Act making it lawful for a person or persons to gig certain fish within the waters of Caddo Lake in Harrison and Marion Counties."

H. B. No. 79, "An Act to amend House Bill No. 804, Regular Session, Forty-fifth Legislature by providing for the transportation of fish in one container under certain specified conditions."

H. B. No. 73, "An Act providing for the maximum amount of fees that may be retained by the Assessor-Collector of taxes in all counties having a population of not less than 13,350 and not more than 13,440, according to the most recent available Federal Census and each available Federal Census thereafter; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 12, "An Act authorizing the Commissioner of Agriculture to

dispose of all jacks and stallions now owned by the State of Texas which were purchased out of the special Jack and Stallion Fund and the Special Racing Fund as created under Chapter 10, Acts of the First Called Session, Forty-third Legislature, and further amended by Chapter 344, Acts of the Forty-fourth Legislature, Regular Session; providing for the disposition of all defective or unfit animals by the Board of Control; providing for apportionment of all funds now on hand and to the credit of the Special Racing Fund which have accumulated since January 1, 1937; providing for the repeal of all laws in conflict herewith, and declaring an emergency."

H. B. No. 45, "An Act amending Art. 793, Chapter 4, Code of Criminal Procedure, 1925, authorizing the Commissioners Court of each county in Texas to fix the rate of wages to be paid county convicts committed to workhouse, county farm or public improvements at an amount per day not less than \$1.00 nor more than \$3.00, and declaring an emergency."

S. C. R. No. 5, Concerning Hall of State.

S. C. R. No. 2, To authorize the acceptance of money from the Federal Government.

S. C. R. No. 10, To suspend certain Joint Rules.

S. C. R. No. 8, To provide for Texas Exhibits at certain World Fairs.

Mr. Keith asked unanimous consent of the House that the House stand at ease for one hour.

There was no objection offered, and it was so ordered.

(While the House was standing at ease, Mr. Cauthorn occupied the Chair temporarily.)

(Speaker in the Chair.)

The House reconvened, and was called to order by the Speaker.

#### HOUSE NOTIFIED

A committee from the Senate appeared at the bar of the House, and being duly announced, stated that the Senate has completed its labors, and is now ready to adjourn sine die.

#### SENATE NOTIFIED

The committee appointed to notify the Senate that the House has completed its labors and is now ready to adjourn sine die, appeared at the bar



of the House, and being duly announced, stated that they had performed the duties assigned them.

#### GOVERNOR NOTIFIED

The committee appointed to notify the Governor that the House has completed its labors, and is now ready to adjourn sine die, appeared at the bar of the House, and being duly announced, stated that they had performed the duty assigned them.

#### ADJOURNMENT SINE DIE

Mr. Carssow moved that the House of Representatives of the First Called Session of the Forty-fifth Legislature do now adjourn sine die.

The motion prevailed.

Speaker Calvert, accordingly, at 12:00 o'clock noon, pronounced the House of Representatives of the First Called Session of the Forty-fifth Legislature adjourned sine die.

#### APPENDIX

#### REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,  
Austin, Texas, June 24, 1937.  
Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 79, A bill to be entitled "An Act to amend House Bill No. 804, Regular Session, Forty-fifth Legislature by providing for the transportation of fish in one container under certain specified conditions."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 24, 1937.  
Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 75, A bill to be entitled "An Act to repeal Section 8a of Chapter 95, Acts of the Regular Session of the Forty-fourth Legislature, for the purpose of abolishing the office of an Assistant District Attorney to represent the State in criminal prosecutions as provided for in said Section; to provide that it shall be the duty of the District Attorney

of the Ninth Judicial District of Texas to represent the State in all cases in the Special Ninth District Court of Montgomery, Polk and San Jacinto Counties, wherein the State of Texas is a party, and for the County Attorney to represent the State in said Court in their respective counties in such cases in certain contingencies, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 78, A bill to be entitled "An Act conferring authority on State Parks Board to acquire for use as a public park a tract of land situated on Padre Island; prescribing the terms and conditions under which such purchase can be made; authorizing the State Highway Commission to construct, maintain, and operate certain bridges and causeways adequate within its opinion for ingress and egress to such Island; etc., and declaring an emergency."

Has carefully compared same, and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 74, A bill to be entitled "An Act to provide a more adequate and equitable salary for county superintendents of public instruction in certain counties; providing for traveling expenses and office expenses for said officers; repealing all laws and parts of laws in conflict, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 73, A bill to be entitled "An Act providing for the maximum

amount of fees that may be retained by the Assessor-Collector of taxes in all counties having a population of not less than 12,350 and not more than 13,440, according to the most recent available Federal Census and each available Federal Census thereafter; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 71, A bill to be entitled "An Act to amend Article 1645, Title 34, of the Revised Civil Statutes of the State of Texas of 1925, as amended by Chapter 35, General and Special Laws passed at the First Called Session of the Fortieth Legislature, as amended by Chapter 28, General and Special Laws passed at the First Called Session of the Forty-first Legislature, as amended by Chapter 15, General and Special Laws, passed at the Second Called Session of the Forty-second Legislature, relating to the appointment and compensation of County Auditors in counties containing a population of thirty-five thousand inhabitants, or over, according to the preceding Federal Census, or having a tax valuation of Fifteen Million Dollars, according to the last approved tax rolls; and providing for additional compensation for the County Auditors in such counties having more than 200,000 population and not more than 300,000 population according to the last Federal Census where there is a city and county hospital to care for city and county patients, and where a financial record for such hospital must be kept and reports made to the city and county; and providing for compensation for the County Auditors in such Counties having more than 51,000 population and less than 52,000 population, according to the last Federal Census; the salary of such County Auditor shall be \$4,800.00 to be paid monthly out of the General Revenue of the County upon an order of the Commissioners' Court; and providing that if any portion of this Act be declared unconstitutional or

invalid, the remainder shall not be affected thereby, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 72, A bill to be entitled "An Act providing for the posting of legal notices at some place within the Court House to be designated by the Commissioners Court in counties having a population of from three hundred twenty-five thousand to three hundred thirty thousand according to the last Federal Census; and making this Act cumulative of all laws on the subject of posting of notices wherever such posting is required by law; and providing for the designation of the place or places where such notices shall be posted."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 11, To provide for the appointment of a joint committee to make certain investigation.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 80, A bill to be entitled "An Act amending Chapter 206, of the Regular Session of the Forty-first Legislature authorizing the Board of Directors of Texas Technological College to erect and equip and make contracts for the erection and equipping of dormitories, other buildings and improvements on the campus; to enter into contracts with municipalities or school districts for joint construction of museums, or such other build-

ings as may be necessary; to issue obligations under the limitations herein prescribed and to pledge the rents, revenues and incomes from the operation of such improvements to be erected hereunder, and/or then owned for the repayment of said obligations; and all other rents, revenues and incomes from every source, except appropriations made by the Legislature for a particular specific purpose; to establish and maintain such schedule of rates, fees and charges for the use of facilities afforded by its dormitories, other buildings, and improvements and revenues from athletic fields and stadiums, as necessary for payment of principal and interest of indebtedness; providing that in the erection of such buildings and improvements or in contracting therefor no indebtedness shall be incurred against the State of Texas; repealing all laws and parts of laws in conflict with the provisions of this Act and providing that if any sections, provisions or portions of this Act be held invalid that the same shall not affect the remaining sections, provisions or portions thereof, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 82, A bill to be entitled "An Act amending Acts of 1935, Forty-fourth Legislature, Special Laws, page 1210, Chapter 45, prohibiting transportation of minnows of any and all species outside of the counties wherein such minnows are caught, seined, or taken, by adding thereto the Counties of Parker, Jack, and Young, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 84, A bill to be entitled "An Act permitting the taking of pelts of fur-bearing animals for the

purpose of sale in Anderson County during the months of December and January; making it unlawful to take pelts or to employ a steel trap for taking any fur-bearing animal during any other months than December and January; making certain exceptions; providing a penalty; repealing all laws or parts of laws in conflict with this Act, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 83, A bill to be entitled "An Act making it lawful for a person or persons to gig certain fish within the waters of Caddo Lake in Harrison and Marion Counties."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

#### REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 25, "An Act fixing the compensation of County Auditors in every county having a population of not less than one hundred and ninety thousand (190,000) nor more than two hundred thousand (200,000) inhabitants according to the last preceding United States Census and prescribing how the same shall be paid; providing that in such counties where there is a city and county hospital that the County Auditor shall audit the books and records of such hospital and shall make reports to the county and city governments covering the operation of such hospital and fixing the compensation therefor and prescribing how the same shall be paid; authorizing, empowering and directing all County Auditors in counties having a population of more than three hundred and twenty thousand (320,000) and less than three hundred and fifty thousand (350,000) persons, according to the last preceding Fed-

eral Census or any future Federal Census, to make a complete audit of any and all monies, property or funds of whatsoever kind or character received, expended or disposed of in any manner by the Superintendent of Public Instruction, the County Board of Trustees and/or County Superintendent of Schools in any such county, and providing that a copy of the auditor's report shall be filed with the Commissioners Court and with the County or District Attorney at the end of each fiscal year; amending Article 1645 of the Revised Civil Statutes of Texas of 1925, as amended by Chapter 15, Acts of the Forty-second Legislature, Second Called Session, by adding thereto two new sections to be known as Article 1645C and Article 1645D; repealing all laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 30, "An Act declaring it unlawful to take, hunt, trap, shoot, or kill any prairie chicken in the State of Texas for a period of five (5) years; prescribing penalty for violation of the provisions of this Act; making the Act accumulative; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 33, "An Act amending Subsection (1) of Section 19, Chapter 465, Acts of the Forty-fourth Legislature, Second Called Session, by providing that premiums on deputies' official bonds shall be a legal and legitimate expense of office in counties containing an excess of one hundred and ninety thousand (190,000) population, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 36, "An Act amending Article 2094 of the Revised Civil Statutes of Texas, of 1925, as amended by Acts of the Forty-first Legislature, page 89, Chapter 43, Section 1, and providing that after the effective date of this Act, the provisions of said Article 2094, as amended, shall not apply to counties containing, according to the last preceding Federal Census, a population of not less than twenty-five thousand (25,000) and not more than thirty-seven thousand, five hundred (37,500), and containing a city with a population, according to the last preceding Federal Census, of more than twenty-five thousand (25,000), and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 38, "An Act to amend Article 4285, Revised Civil Statutes of Texas, 1925, providing the procedure authorizing the issuance of letters of guardianship in estates of nonresident minors, persons of unsound mind, and drunkards; and to amend Article 4286, Revised Civil Statutes of Texas, 1925, providing for the sale, renting, leasing, leasing for oil and gas and other minerals of personal and real property of nonresident ward, and for the removal of the same, under orders of the court having jurisdiction of such estate; and repealing Article 4289, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 39, "An Act granting the Commissioners Court of Bell County permission to pay out of the general fund of said County bounties for the

destruction of rattlesnakes and predatory animals, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 44, "An Act providing for the amount that may be allowed by County Boards of Trustees to the County Superintendents of Public Instruction for expenditures for office and traveling expenses in certain counties according to the last preceding Federal Census; providing conditions and regulations relative to payment of salaries, etc.; fixing the salaries of the County Superintendents of Public Instruction in certain counties; providing for the amount that may be allowed for traveling expenses and office expenditures; providing conditions and regulations relative to the payment of salaries and traveling expenses; repealing all laws and parts of laws, General or Special, in conflict therewith, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 45, "An Act amending Article 793, Title 9, Chapter 4, Code of Criminal Procedure of Texas, 1925, authorizing the Commissioners Court of counties having a population of not less than twenty-four thousand one hundred eighty (24,180) nor more than twenty-four thousand two hundred (24,200); or in any county containing a population of not less than forty-one thousand (41,000) and not more than forty-two thousand (42,000); and in counties having a population of not less than forty-three thousand and thirty (43,030) and not more than forty-three thousand and fifty (43,050); and all counties having a population of not less than thirty-seven thousand two hundred eighty-six (37,286) and not more than thirty-seven thousand two hundred ninety

(37,290); and all counties having a population of not less than seven thousand one hundred (7,100) nor more than seven thousand one hundred fifty (7,150); and in counties having a population of not less than thirty thousand seven hundred and seven (30,707) nor more than thirty thousand seven hundred and nine (30,709); and in counties containing a population of not less than twenty-seven thousand five hundred forty-nine (27,549) nor more than twenty-seven thousand five hundred fifty-one (27,551); and in counties containing a population of not less than nineteen thousand one hundred twenty-eight (19,128) nor more than nineteen thousand one hundred thirty (19,130); and in counties containing a population of not less than eighteen thousand eight hundred fifty-nine (18,859) nor more than eighteen thousand six hundred sixty-one (18,661); and in counties containing a population of not less than ten thousand and thirteen (10,013) nor more than ten thousand and fifteen (10,015), according to the last preceding Federal Census, to fix the rate of wages to be paid county convicts committed to workhouse, county farm, or public improvements at an amount per day of not less than One (\$1.00) Dollar per day nor more than Three (\$3.00) Dollars per day, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 46, "An Act repealing House Bill No. 915, passed at the Regular Session of the Forty-fifth Legislature, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 47, "An Act to amend Article 2371 of the Revised Civil Statutes of Texas of 1925, and as amended by House Bill No. 675, Acts

of the Forty-fifth Legislature, Regular Session, by providing that in all counties of this State having a population of two hundred and fifty thousand (250,000) or more, according to the last United States Census, the Commissioners Court in such county may expend, in furnishing a rest room for women in the courthouse, or in courthouse buildings, or on courthouse grounds, a sum not to exceed Three Hundred (\$300.00) Dollars; and may expend for its maintenance, including the compensation paid by the county to the matron, an amount not to exceed One Hundred (\$100.00) Dollars per month, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 48, "An Act creating a special road law for Montague County; authorizing the Commissioners Court to issue funding bonds or warrants in lieu of certain scrip warrants issued in the year 1937, and validating such scrip; providing the method of issuing the same; making it the duty of the Commissioners Court to levy a tax sufficient to pay principal and interest as they mature and accrue; making the General Laws pertaining to roads and bridges applicable in Montague County and providing that the provisions of this Act shall be effective in case of conflict with any General or Special Law; providing that if any portion of this Act shall be held invalid, such holding shall not affect the other portions hereof, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 50, "An Act authorizing independent school districts in which there is situated a city with a population of not less than seven thousand, one hundred (7,100) and not more than seven thousand, two hundred

(7,200), according to the last preceding Federal Census, to expend not more than fifty (50) per cent of the taxes assessed and collected for a period not to exceed four (4) years, for the purpose of paying warrants issued in the payment of premium upon bonds refinanced and/or refunded by such independent school district at a less rate of interest and thereby create a saving, and in the payment of the actual and necessary cost of refinancing and of refunding said bonds, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 51, "An Act to prohibit the use of a seine for taking fish in the waters and tributaries of the Bosque River in Hamilton County, Texas; providing, however, for the use of a net during the months of July, August, September, and October for the purpose of taking fish; permitting the use of a minnow seine not more than twenty (20) feet in length for the purpose of taking minnows for bait; providing a penalty; repealing Chapter 47, Acts of the Forty-fourth Legislature, Regular Session; repealing House Bill No. 965, Acts of the Forty-fifth Legislature, Regular Session; and all laws and parts of laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 52, "An Act authorizing the Commissioners Court in each county in this State having a population of not less than forty-two thousand, one hundred and twenty-five (42,125), nor more than forty-two thousand, one hundred and fifty (42,150), according to the last preceding Federal Census, to allow each County Commissioner certain expenses for traveling and in connection with the

use of his automobile on official business in overseeing the construction work on public roads of the county; requiring each such Commissioner to pay the expense of operation and repair of such vehicle so used by him without further expense to the county, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 55, "An Act appointing Directors of San Antonio River Canal and Conservancy District; providing for the appointment of their successors; designating their terms of office; providing for the filling of vacancies; prescribing the oath of office; providing who is eligible for appointment, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 57, "An Act amending Article 3899 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 220, Acts of the Regular Session of the Forty-third Legislature, and as amended by Chapter 311, Acts of the Regular Session of the Forty-fourth Legislature, and as amended by Chapter 465, Acts of the Second Called Session of the Forty-fourth Legislature; providing that Criminal District Attorneys who perform the duties of District Attorneys in certain counties may incur certain expenses in investigating crime and accumulating evidence in criminal cases, and for the payment of mileage traveled by said Criminal District Attorneys in automobiles furnished by them in the discharge of their official duties; providing that this Act shall be cumulative of all laws not in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 60, "An Act repealing Subdivision (i) of Article 8017 of the 1925 Revised Civil Statutes of Texas, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 62, "An Act amending Section 1 of H. B. 186, same being Chapter 10, of the Special Laws of the Forty-third Legislature, Regular Session, by extending the closed season on deer in San Augustine and Sabine Counties until February 21, 1939, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 63, "An Act to amend Article 2687 of the 1925 Revised Civil Statutes of Texas by adding thereto a new section to be known as Article 2687-b, prescribing the time of meeting of the County Board of School Trustees in counties containing a population of not less than one hundred and thirty thousand (130,000) and not more than one hundred and thirty-three thousand (133,000), according to the last preceding Federal Census; providing for their compensation; providing the fund from which same shall be paid; providing this Act shall be cumulative of all existing laws on this subject but this Act shall apply where in conflict therewith, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 65, "An Act amending Section 11 of Senate Bill No. 185, Acts of the Forty-fifth Legislature, Regular Session, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 66, "An Act amending Section 2, of Senate Bill No. 185, Acts of the Forty-fifth Legislature, Regular Session, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 67, "An Act for the purpose of conserving the oyster resources of Calhoun County, Texas, by withdrawing the submerged lands in said County from location and lease to private persons and corporations for the planting of oysters and making private oyster beds; making it unlawful to take and transplant seed oysters without securing a permit from the Commissioners Court; providing a penalty; providing a saving clause, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 68, "An Act ratifying, confirming, and validating all acts of County Boards of Trustees in ordering an election for the purpose of laying out, establishing, combining, abolishing, or changing any independ-

ent or common school districts, and all elections held in any county in this State for the purpose of laying out, establishing, combining, abolishing, or changing any such independent or common school districts; providing limitations for the ratifying, confirming or validating of school districts under this Act; providing that this Act shall not affect districts which may be involved in litigation at the effective date of this Act; providing that contests may be filed within forty-five (45) days after the effective date of this Act, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your committee on Enrolled Bills, to whom was referred

H. B. No. 79, "An Act to amend House Bill No. 804, Regular Session, Forty-fifth Legislature, by providing for the transportation of fish in one container under certain specified conditions, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 82, "An Act amending Acts of 1935, Forty-fourth Legislature, Special Laws, page 1210, Chapter 45, prohibiting transportation of minnows of any and all species outside of the counties wherein such minnows are caught, seined, or taken, by adding thereto the Counties of Parker, Jack, and Young; providing a penalty, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 83, "An Act making it lawful for a person or persons to gig certain fish within the waters of



Caddo Lake in Harrison and Marion Counties, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 14, Granting Judge Terry Dickens permission to be absent from the State.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 26, Expressing the Legislative intent with reference to cash surrender values and loan values of life insurance policies in passing upon eligibility of applicants for Old Age Assistance.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 12, "An Act providing and giving to the Commissioner of Agriculture certain authority relating to State-owned jacks and stallions and the lease thereof; providing for a maximum breeding fee; providing a lease fee of Thirty (\$30.00) Dollars and the disposition thereof; providing for the care and maintenance of such jacks and stallions; providing for title to such jacks and stallions to be in the State of Texas; providing for a contract between the Commissioner of Agriculture and the caretakers and keepers; providing a bond for the protection of such animals; providing for the appointment of supervisors of jacks and stallions by the Commissioner of Agriculture and the payment of said supervisors' salaries and all expenses incident to the supervision of jacks and stallions with certain limitations; providing for the refunding of certain breed-

ing fees incident to the breeding fees of 1936-1937 with limitations; providing for disposal of unfit animals by the Board of Control and for the transfer of present funds by the Comptroller and Treasurer; providing the carrying over of unexpended balances to the next biennium and the expenditures thereof, subject to the biennial appropriations therefor; providing for the support and maintenance of the Department of Agriculture out of certain funds, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, June 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 73, "An Act providing for the maximum amount of fees that may be retained by the Assessor-Collector of Taxes in all counties having a population of not less than thirteen thousand, three hundred and fifty (13,350) and not more than thirteen thousand, four hundred and forty (13,440), according to the most recent available Federal Census and each available Federal Census thereafter; providing for disposition of excess fees and for deputies and assistants in accordance with the provisions of the Maximum Fee Bill; amending Article 1645, Title 34, of the Revised Civil Statutes of the State of Texas of 1925, as amended by Chapter 35, General and Special Laws passed at the First Called Session of the Fortieth Legislature, as amended by Chapter 28, General and Special Laws passed at the First Called Session of the Forty-first Legislature, as amended by Chapter 15, General and Special Laws passed at the Second Called Session of the Forty-second Legislature; providing a saving clause; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

#### BILLS AND RESOLUTION SENT TO THE GOVERNOR

June 25, 1937.

House Bills Nos. 25, 30, 36, 33, 38, 47, 48, 50, 51, 52, 55, 57, 62, 63, 65,

66, 68, 39, 44, 60, 82, 45, 83, 79, 73 and 12.

House Concurrent Resolution No. 14.

TEXT OF TESTIMONY TAKEN IN  
COMMITTEE OF THE WHOLE  
HOUSE

The following testimony, taken in the Committee of the Whole House, in compliance with the provisions of House Simple Resolution No. 16, adopted by the House on June 21, was ordered printed in the Journal:

OLD AGE ASSISTANCE INVESTIGATION

June 21, 1937—8:00 p. m.

"Old Age Assistance Commission Investigation", June 21, 1937, 8:00 p. m., before the Legislature as a Whole—the following Members acting as Special Committee: Mr. G. C. Morris, Chairman; Mr. Marvin London; Mr. Howard C. Davison of Fisher, Mr. B. T. Johnson of Tarrant, and Mr. Cecil T. Rhodes.

The following witnesses were sworn in:

Mr. W. A. Little, Mr. Claude Teer, Mr. John F. Wallace, Mr. H. C. Meyer, Mr. Grady Webster, Mr. C. B. Hodges, Mr. K. S. Wendler, Mr. Fred C. Varner. Mr. Little was on the stand as first witness called, testified as follows:

Mr. Morris:

Q. State your name to the Committee and the capacity you now hold.

A. W. A. Little, Assistant Director of the Old Age Assistance Commission.

Q. Now, Mr. Little, you state that you were Assistant Director of the Old Age Assistance Commission?

A. Yes.

Q. You are acting Director at this time for the Texas Old Age Assistance Commission?

A. Yes.

Q. How long have you held that position?

A. Since February 15th of this year.

Q. Now, Mr. Little, I have in my hand a copy of the Austin American of Friday, June 18th, in which there is contained an item stating in effect, that there will be 30,000 aged people dropped from the rolls of this State. In connection with that, I want to ask you this question: Do

you know from what source that information came?

A. I do not.

Q. Did that information come from you as Acting Director of the Old Age Assistance Commission?

A. It did not.

Q. Do you know whether or not it came from any member of the Board of Control?

A. I do not know.

Q. As far as you know there has not been any such information given out, that some 30,000 old people are going to be dropped from the rolls?

A. Correct.

Q. Now, Mr. Little, do you know whether or not the Federal Government has at any time, or the Federal Social Security Board, has at any time admitted that any certain amount of old people shall be dropped from the rolls?

A. They have never expressed that to me to my certain knowledge.

Q. Now, you were not Acting Director of the Old Age Assistance Commission at the time that House Bill 8, rather, that the Deliberalization Bill was passed by the Called Session of the Forty-fourth Legislature?

A. I was not.

Q. Do you have the record for the months of December, January, February, March, April up to the last payment of the old age assistance in the State, the number of those receiving pensions for each month, the average amount they received, and the total amount they received?

A. Mr. Morris, I think I could give you the accumulative total, but I haven't in my possession the breakdown, or month by month figures in dollars and cents of those that received assistance during those months.

Q. Give what you have in regard to that.

A. Shall I state the actual figures on the rolls of November 1st and work from that?

Q. That was the last payment made under the old law?

A. Correct.

Q. Give us that.

A. 89,786 cases under the old law as of November 1st, 1936, and between that date and May 31st, 55,056 cases were approved for assistance.

Q. What was that date?

A. From November 1st to May 31st.

Q. That was the number that was passed on in addition to the 89,786?

A. Yes, that is the original applications.

Q. Now, Mr. Little, they had approximately 145,000 old people that were receiving pensions on May 31st?

A. That is not net for there were certain denials that were entered between November 1st and May 31st.

Q. Now give us the denial figures?

A. Cases denied under the old law, 19,989 and cases denied under the new law, 50,505 up to May 31st.

Q. There are approximately 70,000 old people that were denied from November 1st to May 31st?

A. No, sir. From last February.

Q. From the beginning of the new law?

A. That is right, from February 15th.

Q. Can you give us actual number receiving pensions during May of this year?

A. 129,805.

Q. Now, can you give us an average amount they were paid during that month?

A. \$18.42 the National average. State, \$13.82.

Q. Now for the month of June?

A. 127,758.

Q. What was the average amount?

A. \$13.74.

Q. I believe, Mr. Little, that that was the first time that your Department in its payments showed a decrease?

A. I believe that is true.

Q. Now to what do you contribute that decrease?

A. I believe that on May 1st—at that time—the first time that original applications had been investigated at least one time from the beginning of the probe up to that date. Naturally, in the process of investigation, I think that we all have been trying to reach the ceiling, so to speak. In other words, from month to month, quarter to quarter, there had been, more or less, in our minds and the public mind as to what the ultimate would be. In fact, the original investigation completed brought us for the first time what I considered the peak load.

Q. Now then, could you estimate according to the increase that has been made, from May-June payment of this year? Can you estimate what will probably be the total amount of recipients of the July payment?

A. I cannot, because I don't know

as to what the actual decrease in load would be.

Q. Do you anticipate there will be a radical reduction in those receiving pensions?

A. I see no reason for it. I see a probable reason for a normal, well controlled regulative reduction in the pension rolls.

Q. That reduction will not come as a result of the interference or advice of the Federal Government?

A. Not as I know of.

Q. What do you think will be the greatest contributing factor towards the decrease?

A. Mr. Morris, due to the change in the law. November 1st we had approved 89,786 applications for assistance; we had denied 19,989. Ratio total, under the old law, was 82%; and the ratio of denial—18% under the new law. By the same line of reasoning, approved 52% and denial 48%. I think that it has been proven a fact that 40,000 of those people will remain for the simple reason that they came from relief or similar circumstances to the old age assistance. That large a figure, 46,000, who were placed under the old law and who until this date have been receiving pensions, and who, in my mind, represents the doubtful group under the old law. We are merely investigating that group under the new law, according to Section 12, House Bill 8. That specific group of people for immediate investigation in keeping with Section 12 of House Bill 8.

Q. Now, Mr. Little, here is a question that has been submitted by a Member of the House, the question I just asked you: How does the total number of applicants now receiving assistance in Texas compare to the total receiving assistance in other States?

A. All right. Texas tops the list of the following States, who have been selected because of the comparative number of recipients now on our rolls as between other States. Texas has 127,772 as of last month with a population of 275,000 over 65 years of age. The recipients represents, in that group, 46%. Illinois, 120,317, population of 487,000—that made 25% on old age assistance. Ohio, 103 plus, with a population of 470,000 over 65, percentage of recipients, 22%. California has 73,691 recipients, with a population of 65 and over, 441,000, percentage of recipients, 17. Minne-

sota, 60,000 plus recipients, population of 189,000, percentage 32. Therefore, Texas on a comparative basis is much higher than any other State.

Q. Now, Mr. Little, I will ask you this question, in regard to the financial condition of the old age assistance fund. What is the approximate amount of the State's part, is paid out each month—what I mean is for assistance?

A. Approximately, \$890,000.

Q. What is the monthly income?

A. \$725,000, approximate.

Q. Now, Mr. Little, how much did you say the expenditure was?

A. \$890,000, approximately.

Q. Now, do you know what the income was, that income you gave me?

A. For the last month it averaged \$725,000, approximate.

Q. Now then, I have a report from the Treasury Department stating that the income for this last date on up would be \$620,000. What has happened in the past that the income for the month of July and August would be \$620,000? Do you know of any reason why it will be, that this income will be decreased or will decrease for the months of July and August?

A. I presume there will be less drinking and smoking during those months.

Q. According to the figures that you have given, your fund is going approximately \$150,000 in the hole every month?

A. That seems to be correct.

Q. Now then, as far as you are able to tell, without the raising of any additional revenue, your Department will be able to continue its work for how long?

A. Either September to October 1st. Possibly November. I am being conservative, probably to November.

Q. What reason do you have for saying that it will not last indefinitely?

A. It lacks a \$150,000 each month breaking even. The demand, and because the returns are cut by recent enactment of laws cutting off supply of revenue.

Q. Now, Mr. Little, let me ask you this question: Whether with the the additional revenue to be raised, and the last revenue that was raised, that even with those three months, they might have a tendency, at least to cut more people off the pension rolls?

A. I don't think so.

Q. At least, you will have the tendency to decrease the amount of money each person will receive?

A. That will be the answer, of course, but I don't believe it will be necessary.

Q. Now then, Mr. Little, I have some questions given to me by Members of the House, I will ask you this question—this is getting back to the statement in the paper that some 30,000 people would be dropped from the rolls—I will ask you if it is a fact, that on Friday, June the 4th, that a number of District Supervisors were called to Austin for a conference?

A. Yes, sir.

Q. Could you tell this Committee for what purpose they were called here?

A. Yes, sir. They were called for the purpose of validating the present pension roll. Under the new law, special attention was given to those people who were put on under the old law.

Q. Now explain to us what you mean by validating.

A. Justifying the course under the law.

Q. Do you have these meetings very often, Mr. Little?

A. Should have and more often. Unfortunately, we haven't had time to have them only about every six months.

Q. I will ask you again, if anybody directed these District Supervisors at this conference to cut 30,000 or 40,000 people from the rolls?

A. No figures called. I was not concerned whether one person or one thousand, I was concerned in validating the roll that we might come to the Legislature or to any party who was interested, as to what the actual case-load is or should be at any date, future or present, and let us have the financial aid.

Q. I wish to ask you this question, that if the District Supervisors had found that instead of cutting 30,000 off of the roll, they would put ten thousand more on, you would still be anxious to do that under the law?

A. Yes, sir.

Q. Wasn't a representative of the Social Security Board present, Mr. Little?

A. There was.

Q. Who was that representative?

A. Mr. Temberton. Statistician in the Social Security Board. My un-

derstanding was that he was not there officially as a Representative but was there by invitation to advise me with statistics and the status of the Security Law involving the State of Texas.

Q. Now, is his office maintained in Texas? In San Antonio? Does he not have his office in the same place as Mr. Powell?

A. The regional office is at San Antonio. I do not know if that is the State office or not.

Q. Did this Representative of the Social Security Board suggest in any way that the Federal Government was going to ask or demand that a cut be made in those receiving assistance in Texas?

A. He did not.

Q. I will ask you this question: Was there a Representative from each District Office at this meeting? Were those other District Officers instructed?

A. It was impossible for all of them to come because they were called by telephone 5:30 in the afternoon to attend the meeting at ten o'clock next morning.

Q. How many recipients of pension have been cut off since June 4th?

A. 2,500 net.

Q. 2,500 net?

A. Yes, sir.

Q. Is that not an unusual amount for that period of time?

A. Not under the procedure of the new law.

Q. At 2,500 net, that was cut since June 1st?

A. That would be over a period of approximately two weeks.

Q. It hasn't been the policy for your Department to cut them off at that rate, has it?

A. We are not working on specific cases. We are working on original applications and these were recent investigations.

Q. The fact that they—your Department of the old age assistance funds—did not have sufficient money had nothing to do with that?

A. No, sir.

Q. Or the fact that the Federal Government asked you, didn't have anything to do with it?

A. No sir.

Q. These questions were all submitted to the Committee. Did you, Mr. Little, tell members of the House that no more money was needed for old age assistance? That the five

million odd dollars were enough? I shall ask the same question again: Did you tell Members of the House that no more money was needed?

A. I haven't been able to reach an accurate estimate.

Q. But have you ever made that statement to a Member of the House?

A. If I have, I do not remember it.

Q. Is it the policy of the Board to reduce the pension rolls in accord with revenue?

A. No, sir.

Q. Now, Mr. Little, you have made every effort to adjust differences—are you having any trouble convincing them that each one of those applicants is justified?

A. I haven't come to that point, Mr. Morris.

Q. How much State money—of course, you cannot give this very accurately, but to the best of your judgment, how much State money would be actually needed under the present law to adequately provide for old age assistance?

A. I couldn't give you a definite answer to that question under three months.

Q. Could you give us an approximate answer under the present law?

A. Something like around Twelve Million Dollars.

Q. Is that Twelve Million Dollars, Six Million for the State and Six Million Dollars from the Federal Fund?

A. Twelve Million Dollars from the State Funds.

Q. How much money is now on hand to pay old age pensions with?

A. June 1st, \$1,274,951.38. Of course, that is not taking care of the checks that have already been mailed out.

Q. You mean that \$1,274,951.38 in addition to the checks you have already mailed out?

A. That was the balance of June 1st.

Q. What was the total of these checks?

A. \$877,800.50.

Q. You only have according to those figures, some \$704,000 with no revenue approved for this month, how long will this last at the present average with the present number on the rolls?

A. I think I made that estimate awhile ago.

Q. This question has been submitted by a Member of the House, Mr. Little, is it not a fact that you in-

structed Mr. Camp at Waco to cut from the rolls all persons who had some relative who could support them whether they would do so or not, or have ever done so?

A. I have never instructed Mr. Camp nor any other member of the personnel to so do.

Q. Isn't it a fact that in the last two weeks a good many old people who have been on the rolls have been dropped from the rolls?

A. They have been investigated and found to be in keeping with the information I gave you before.

Q. Now, Mr. Little, if the District Supervisors have not been instructed to drop from the rolls a good many of the old people, why are they being dropped?

A. The records is all I can say. I had nothing to do with that. I simply say that we are concerned with findings concerning a group of people validated under the old law and not under the new law. I think that we will concur that when the new law was passed, the old law was out.

Q. Is it not a fact that all investigators from every County have been instructed within the last week to cut off from the rolls at least 30%?

A. Not by me.

Q. Have they been instructed by anybody in your Department?

A. If so, I do not know it.

Q. Or by the Board of Control?

A. Not to my knowledge.

Q. Have any of the local Investigators ever been told by the District Supervisors, or by yourself, or by any member of the Old Age Assistance Commission, or by any member of the Board of Control, or by any other State Department—have they ever been instructed to cut off any number of people from the rolls?

A. Not to my knowledge.

Q. Have there ever been any contests among the Investigators in your Department or by any of your District Supervisors to see who could cut the most people from the rolls?

A. Not to my knowledge. If I had known of it I would have stopped it.

Q. If Texas has the largest number on the rolls, what is the average pension paid in Texas in a month?

A. \$13.50.

Q. What is the average paid in other States?

A. \$18.00 plus.

Q. What is the June average?

A. The June average is \$13.74.

Q. Could you give us how many States pay more average per person than Texas?

A. I would be glad to furnish this from the records. I would like to give you this figure, there are 42 States subscribing to this Act. During the quarter just ending for the entire 42 States there was \$17,846,725.88 appropriated by the Social Security Act for old age assistance in the United States, of that amount, Texas received \$2,539,872.33, or 14% of the whole allocation for the United States in connection with that figure, and these are my figures, Texas has a population of 375,000 plus over 65 years of age. 41 other States has a combined population of 5,725,900. Texas represents 4% of the whole population of 42 States subscribing for the Social Security Act of old age assistance. Last month, Texas paid 127,758 people. The other 41 States paid 1,219,842 people. Texas paid 9% of all the aged people with its population average of 4%, that was paid in the United States.

Q. Now has the Old Age Assistance Commission advised the Local Supervisors that they must cut off as many as possible?

A. No, sir.

Q. Do you see any reason for any major cut in those receiving assistance?

A. No, sir. I could only go by these figures and apply the same to this program on the balance of the facts already established and now of record in the office.

Q. From your estimation how long would it take your Department to thoroughly investigate every applicant in order to find yourself effectively enforcing the law—by that, I mean, how much longer do you think it would take your Department to actually have everyone who is entitled to receive a pension in the State of Texas under provisions of House Bill 8?

A. I will say this. With the present personnel, it is possible to contact these aged people once every six months.

Q. Your Department, to what extent, have they completed their investigation toward meeting the provisions?

A. Let me see, 25,000 that have been reinvestigated, those reinvestigated they check back with the cut-off in January. But in January the

investigations requested by applicants, who were off, investigations who were requested by next best friends, or applicants who were off, and special requests from attorneys, officials and otherwise.

Q. Now then, Mr. Little, the last two months your checks mailed out, according to the present report, were delayed?

A. Yes, sir.

Q. Did the number of recipients in Texas have anything to do with the delay?

A. No, sir.

Q. Those that have been cut off from the rolls within the last two months have been due to the fact that they did not qualify under law, because of the fact they had some relative to support them, is that a fact?

A. No, sir. Not necessarily.

Q. What percentage of people were cut off for that purpose?

A. I haven't the figures, but I'll say this, none have been denied for the simple reason that they have children or relatives able to support them, we do not expect a child to assume the part of supporting them unless he is willing to do so and accepts it for moral reasons without any force.

Q. Isn't it a fact that where the children are absolutely unwilling, regardless of whether they are willing to contribute support of their parents, is it the policy of the Commission to cut them off the rolls?

A. No. I think they should be taken care of, even though the children refuse to support them.

Q. Have you been following that policy?

A. Yes, sir.

Q. Who has been responsible for that as it is written into the law at this time?

A. I think the law is responsible within itself.

Q. Has the Federal Government ever attempted to define the word "need" or "necessitous circumstances"?

A. No, sir.

Q. Should the State of Texas put 150,000 on the rolls, do you mean that the Federal Government will cease to cooperate?

A. I think in your mind or my mind or in anybody else's mind, the Federal Government hasn't anything to say about it.

Q. In case the Legislature should liberalize the law—that the provisions

now contained in the law, do you think any person whose children or any other persons are able or willing to take care of them, do you think the Federal Government would continue to cooperate with the State of Texas?

A. I do not know. It is beyond me.

Q. Would you express an opinion?

A. I would not.

Q. Now for the interpretation of the word "need". How many people would be carried on the word?

A. In fact, that is by individual findings and not by interpretation. That is by individual interpretation under their (investigators) findings.

Q. You, according to your answer, Mr. Little, you don't mean that as a general rule you let the local investigators define the word "need"?

A. It would be hard for anybody to give me a definite interpretation of the word need.

Q. Now, Mr. Little, the District Office really has in reality the final say, and the Investigator out of the County doesn't have the final say?

A. Yes, sir.

Q. Their findings are final?

A. Yes, sir.

Q. (Mr. Morris): Now then, does the District Supervisor interpret the word "need" according to the investigation made by the local Investigators?

A. He passes on the record itself before submitting the report to the State Office.

Q. Now, let's suppose that the District investigator finds from all the applications that have been turned down, when the local investigator did not think they were in need, is it the duty of the District Supervisor, or is it within his power to change it?

A. It is within his power to call for further information until he is satisfied with it.

Q. Mr. Little, could you give us some interpretation of the word "need"? I realize that it is a hard word to define but give it to the best of your knowledge?

A. I will read you Section 4 of House Bill 8.

"Sec. 4. In determining the eligibility of an applicant for assistance under this Act, it shall be the duty of the Commission to consider and take into account all facts and circumstances surrounding the applicant including his earning capacity and

his opportunity to obtain support from other sources, and if from all the facts and circumstances the applicant does not appear to be in a needy and necessitous condition, assistance shall be denied. In calculating income and resources of the applicant, the Commission shall take into account all money received by gift, devise or descent."

Q. Now then, in order to get this clear, before some members, the person who really defines the word "need" is the local Investigator?

A. That is right.

Q. Mr. Little, how many local investigators do you have?

A. At present 269.

Q. Now, Mr. Little, do you mean that under your answer it is possible that you might have 269 different interpretations of the word "need"? is that right?

A. They will have 269 different interpretations in 269 cases. No two cases are alike. They use the same yard stick to determine the word "need".

Q. Let's suppose that all 269 investigators were sent out to investigate the same case, wouldn't you have 269 different interpretations to the word "need"? Wouldn't you have 269 different findings?

A. I would have to go with them to answer that question—I couldn't answer that.

Q. Now, Mr. Little, is it possible for either the District Office, or your office, in rejecting these applications, to find out whether or not they are using a different interpretation of the word "need"? It is possible isn't it?

A. It is possible, but we do not do it.

Q. I believe you said a few moments ago that your District Supervisors did reject those who were unfavorably reported by the local Investigator?

A. If he wasn't satisfied, he asked for a reinvestigation by the local Investigator.

Q. If a man with a wife and four children were entitled to assistance under the old law would they be entitled to receive assistance under the new law?

A. Mr. Morris, I am sure that you understand, or whoever wrote that question understands, it is physically impossible for me, or anybody else, to make an analysis of that case as far as we are removed from it, I

could not tell you unless that case was worked and the facts filed and put on record. Then I might be able to answer it.

Q. Has the Commission any orders to remove any applicants who have paid up insurance?

A. Not to my knowledge.

Q. What is the Commissions' attitude in this matter? As to paid up insurance?

A. Its loan value is considered as cash.

Q. If the loan value was \$1,200 they would not be entitled to assistance?

A. If their cash value was \$1,200, very likely they wouldn't.

Q. To your knowledge has any applicant ever been denied because of the fact they had a paid up insurance policy?

A. I do not think so.

Q. What do you think the Legislators intended the meaning of House Bill No. 8 to be?

A. I presume they could interpret that better than I do?

Q. Mr. Little, say a man's gross income is \$50.00 per month and out of that gross income of \$50.00 takes \$40.00 for necessary expenses, as taxes, etc., couldn't the Commission take that into consideration in determining the need of an applicant?

A. No, sir. The case stands on its own merits.

Q. In other words, the actual expenses are not then taken into consideration?

A. I couldn't analyze that case without knowing the circumstances.

Q. In other words, that is based on each individual case?

A. That is right.

Q. Of your own knowledge, are you in position to estimate about how many recipients of applicants, have been cut off from the roll during the last three months?

A. No, but I can give you the figures from the record, but I haven't got it in front of me.

Q. Approximately?

A. I don't have the record on that particular point.

Q. Can you approximate it?

A. No, sir.

Q. Well, then, will you furnish that to us from the record?

A. Yes, sir.

Q. What percentage of persons receiving pensions in Texas, are negroes?

A. 17%.



Q. Are you in position to estimate as to what approximate amount these negroes receive?

A. They receive 22% of all funds expended.

Q. How many Mexicans are on the rolls? I mean, what per cent of Mexicans do you have on your rolls?

A. I don't have that before me.

(Mr. Davison)

Q. This question has been sent up by a Member of the House: Mr. Little, explain the word need on which an applicant is either denied or recipient of pension. Explain the effort used in securing information on which an applicant is either denied or represented for assistance—Who is interviewed as a legal light to give such information?

A. I couldn't give you that information. I cannot give you a summary but I could take the case and summarize it for you.

Q. Has the various different Supervisors over the State, or any of them, called the local Investigators within the first three weeks, or so? And for what purpose? I think this is what the question must be: Have any of the local Investigators been called and instructed to cut off a certain percentage, or certain number of recipients in the last three weeks?

A. I do not know, but they have not to my knowledge.

Q. Well, now, Mr. Little, if they had you would have had some knowledge of that, as Acting Director—and the District Supervisors would not have made such statement?

A. I wouldn't have made that kind of a request, but what their instructions are, I can't tell you. I hope none of them have made that statement.

Q. And the local investigators have been instructed to re-investigate the 80,000 applicants that have been on the rolls under the old law, is that correct?

A. Yes.

Q. This question has been suggested: Do you think that old age assistance could be administered better through the Commissioner's Court than by the present Commission?

A. I would leave that for the discussion of the Legislature.

Whereupon, the witness, Mr. W. A. Little, continues his testimony as follows:

June 22, 1937

Q. (By Mr. Morris) Mr. Little, on yesterday afternoon there appeared another item in the Dallas Times Herald quoting the Board of Control, or some of its agencies, as saying some 25,000 old people would be dropped from the assistance rolls within the next month. Do you know anything about that?

A. That is the first I had heard of it.

Q. Now then, some of these questions may be repetition, but in order to emphasize this fact, as far as the revenue is concerned I believe you stated on yesterday afternoon that in your opinion we had enough revenue in the Old Age Assistance Fund to last until approximately November 1st?

A. I said that was the outside figure, and I thought it was ample to last until October 1, provided the income remains for the future as it has been in the past.

Q. That is until October 1?

A. Yes, sir.

Q. Now then, you are basing that statement upon the fact that you anticipate a reduction in the pension rolls, is that right?

A. No, sir, that figure is not based on that anticipation.

Q. Do you think there are very many old people that are now not receiving as much as they are entitled to under the law?

A. No, sir.

Q. In your opinion do you think that every person that is receiving old age assistance is receiving exactly what they ought to?

A. I won't take the position that they are.

Q. Can you tell this Committee why some of these have not been raised that are entitled to a raise?

A. The allotments are on the recommendation made by the investigator in each case.

Q. Isn't it true that the reason you believe that they will have sufficient money until October 1, is due to the fact that under the law you are allowed to prorate whatever funds you have on hand?

A. That is not the basis of my statement.

Q. Now of course if there were a substantial increase in the number of those receiving old age assistance you would not have enough money?

A. That is based upon the statement that I made awhile ago.

Q. Now have there been more people cut off during the last month than there has during any other thirty day period since you have been Acting Director of the Old Age Assistance Commission?

A. You mean denied?

Q. Yes, sir.

A. I gave your stenographer the record this morning that you asked for.

Q. I will ask you if there have not been more of them cut off?

A. Do you mean denied?

Q. No, sir, I do not mean those. I am not talking about those who made applications and the amount was never granted, I am talking about those who have received pensions under the old pension law and have been cut off under H. B. No. 8?

A. No, sir, there were 14,000 cut off in January.

Q. Do you know how many were cut off in June?

A. That is in the record.

Q. Do you know how many were cut off in May?

A. That is all in the record, I gave all those figures.

Q. Do you remember having written letters to this effect: Relative to your request that the above cases be re-opened to the end that the present allotment will be increased, please permit me to direct your attention to the fact that funds are not now available at this time for a general increase in allotments to recipients of old age assistance, etc.?

A. Yes, sir, I wrote that letter.

Q. Now then, the fact that you have enough money to last until October 1, is determined largely by the acts of the Commission in keeping the number of recipients and the average amount allotted as low as possible?

A. That is not our policy, Mr. Morris, I think we base that on our average budget at that time.

Q. I mean naturally you are going to be forced to do that in order for it to last until October 1?

A. If I don't have the money I can't put out any budget.

Q. With the amount of money that you anticipate you will have in July, August and September, you are not going to be able to raise very many of these people that are entitled to a raise are you?

A. On a general average it can't be done.

Q. Then it would not be an accurate statement to say that we had enough money to carry on old age assistance under H. B. No. 8, until October 1?

A. Under the present status of old age assistance.

Q. Mr. Little, do we at present owe any banks on the revenue bearing warrants heretofore issued?

A. Yes, sir.

Q. How much?

A. Approximately \$1,600,000.00.

Q. Has any provision been made regarding these warrants?

A. Under H. B. No. 37.

Q. Do you anticipate that a demand will be made in the immediate future for the payment of the old warrants?

A. Under the contract it is the verbal opinion of the Attorney General that they can't make a demand until those are called.

Q. If they did make that demand you would not have sufficient revenue?

A. If we had to pay it we couldn't.

Q. (By Mr. Rhodes) Mr. Little, since the effective date of the new law about how many new applicants have filed application per month?

A. I think the new applicants would average about 1,500 or 1,600.

Q. What are the average number of deaths per month in the list of those receiving pensions?

A. I should say ten or twelve hundred per month.

Q. What per cent of the total receipts for old age assistance is being spent for administration of such funds?

A. Under the law, 5 per cent.

Q. What rules under the new law result in a greater number of denials?

A. The roll itself.

Q. How do you interpret the needs?

A. We covered that point last night.

Q. Do you remember what the answer was last night?

A. I quoted the law from Section 4.

Q. Are you spending now only the 5 per cent of the administration fund?

A. Yes, sir.

Q. How does Texas compare in the cost of administration with other states?

A. I think it is comparatively low, I have not the exact figures on that.

Q. When are the warrants, the interest bearing warrants due?

A. Under the contract there is no due date.

Q. (By Mr. Morris) I believe last night you stated that you nor none of your district supervisors had given orders that any certain amount be cut off?

A. That is right.

Q. Then, Mr. Little, how do you account for the fact that one of your investigators came to the County Judge and showed him a list of over 800 and told him he had to cut off at once 250 and asked him to help him pick out the ones most able to stand it?

A. I couldn't answer for that until I had talked with the investigator.

Q. As far as you know you don't know that that happened?

A. That is correct.

Q. You don't give them orders such as that?

A. I do not.

Q. Were those who were cut from the roll, upon the effective date of H. B. No. 8, dropped from the rolls without first being reinvestigated and recommended by the investigator?

A. They were not.

Q. If not, just how did the Commission determine who would be dropped?

A. It was the result of the investigation.

Q. (By Mr. Johnson of Tarrant) If you had the money would there be more old folks or does the question of funds have anything to do with it?

A. The results of the findings of the investigation certifies that the applicant is eligible.

Q. Based upon each individual case?

A. That is correct.

Q. During the recent months, I believe you stated awhile ago that the Board has not spent over 5 per cent during this Administration?

A. Last month we were under 5 per cent, by adding 31 we will be within 5 per cent.

Q. Over a year's time will the average be 5 per cent?

A. We made an appropriation of \$100,000.00 during the last Session. The \$100,000.00 plus this 5 per cent makes the administrative cost.

Q. Did you or Mr. Hodges or Mr. Wendler give orders to the Investigators over the State?

A. It depends upon what it was about.

Q. Towards the administration of the affairs of the Old Age Assistance Commission?

A. Yes, sir.

Q. (By Mr. Morris) I believe you answered this question last night, but I will ask it again. Isn't it a fact that the County Investigators, in the last analysis, are the ones who interpret or put the construction upon the Old Age Assistance Law, as to the meaning of "Necessitous Circumstances"?

A. They put the first construction and usually it is the last.

Q. Mr. Little, it has been said that Texas has more old people on the rolls than any other State in the Union, is that a fact?

A. Yes, sir.

Q. How do you account for the fact that many people have been put on the rolls and then been taken off as "not being in necessitous circumstances" and then reinstated?

A. Change of status.

Q. Does the ownership of any kind and condition of real estate mean the disqualification of any man or woman receiving old age assistance? Is there not a rule to that effect?

A. There is no rule to that effect.

Q. Is it the policy of the Commission to allow the Investigator to make his own rules and regulations for determining the qualification of an applicant?

A. He makes the report in the case and makes his recommendations and the record is passed on, in keeping with what he found in each individual case.

Q. (By Mr. Johnson) In regard to the various Investigators you have throughout the State investigating this class of work, have the salaries of these Investigators been cut or increased or have they maintained the same level during the tenure of this administration?

A. I have forgotten, but since I have been responsible it has maintained the same level.

Q. Will you give me about what the average salary of the Investigators is?

A. \$175.00 per month.

Q. Of your own knowledge it has not been cut?

A. No, sir.

Q. In case there should be a reduction in the rolls of the old age

assistance, who would hand down those orders, would they come from you or Mr. Hodges?

A. Do you mean a personnel case?

Q. Not the employees, but those who are recipients of old age assistance?

A. They wouldn't come from either of us.

Q. Who would they come from?

A. They would be the result of the investigation itself.

Q. Who would issue the order for the final cut?

A. It is not a question of order and cut, it is a question of reinvestigations.

Q. Would it come from the various districts?

A. The District Supervisor has the responsibility of making assignments of individual cases.

Q. He would submit that to the State Office and the State would act in accordance therewith?

A. The Investigator makes the recommendation.

Q. The Investigator makes the recommendation to the District Supervisor and that reduction is made there and sent to the State Offices?

A. That is correct.

Q. (By Mr. Rhodes) What is the salary of the Investigators over the State?

A. \$175.00 per month.

Q. And they all draw the same salary?

A. Yes, sir.

Q. Has there been any cut in their salary since they first started?

A. Since I have been responsible, there has not been any cut.

Q. (By Mr. Johnson) What does Mr. Webster do in your organization?

A. He is Field Representative.

Q. His duty is throughout the Districts of Texas?

A. Wherever I assign him.

Q. Has he issued any orders recently to reduce the Old Age Assistance rolls at least 25 per cent?

A. Not to my knowledge.

Q. You don't know anything about the statement which appeared in the Austin American by Mr. Raymond Brooks, relative to a cut of approximately 30,000 or 40,000 in the rolls?

A. That is in the record of last night.

Q. (By Mr. Rhodes) I have here the Texas Tax Journal of May; on page 16 it shows 27 per cent used in the administration of the Old Age Assistance Funds, do you have any

idea where they got that information?

A. I have no idea.

Q. I believe you said a little while ago it was within 5 per cent of the law?

A. That is it.

Q. (By Mr. Morris) If you had the money would there be more old people put on the rolls, or does the question of funds have anything to do with it?

A. That has been asked three times.

Q. I would like to know, Mr. Little.

A. My statement was, I think, and still is, that that has no influence on who is qualified or who is eligible for assistance.

Q. If you had more money would the average amount be higher?

A. I think it would be justifiable in the long run.

Q. Have Investigators been instructed to disregard inquiries with reference to applicants for old age assistance made by Members of the Legislature?

A. I hope not.

Q. If such a condition existed, and you had proof of same, what would be your reaction in the matter?

A. I would find out the circumstances and check it.

Q. (By Mr. Rhodes) Who is Mr. Wimple? What position does he have?

A. He is Secretary of the Board of Control, Texas Old Age Assistance.

Q. Does he give instructions to different Investigators or different District Offices what to do and what not to do?

A. No, sir.

Q. Who does that?

A. In what capacity?

Q. Instructions with reference to whom he might want to cut off and the ones that are eligible?

A. He can't, that is not left to him. If you make an inquiry to me, Mr. Wimple, or to any other member of that personnel down there, we feel it is our duty to refer it to the proper source; the only personal attention we give to any request.

Q. Could members send up a request to find out whether or not Mr. Wimple has gone to the different offices over the State instructing them not to approve any applications for assistance?

A. As far as I know he has never been in the District Office in this State.

Q. (By Mr. Rhodes) To whom can he make appeal?

A. To District Supervisor of Investigators.

Q. To the District Offices over the State?

A. Yes, sir.

Q. What step would he have to take to make an appeal?

A. Give him the notice of dissatisfaction, either verbal or written.

Q. (By Mr. Morris) Do you have anything to do with giving instructions of any type to local Investigators or District Supervisors?

A. Well, in my position I presume from the administrative angle I must

have some responsibility of giving instructions. If you ask me what specific instructions I will be glad to answer.

Q. Did you give instructions or help to compile the manual that most of the Members now have in their possession by the local Investigators?

A. Yes, sir, that is correct. About eight people were involved.

Q. (By Mr. Rhodes) These District Supervisors over the State, are they under your supervision? Do you discharge them? Or how are they employed?

A. That would be up to the Commission.

(Witness Excused)

ORIGINAL APPROVALS AND DENIALS FROM  
NOVEMBER 1, 1936 TO JUNE 1, 1937

Month	Approvals	Denials
Nov. 1936	5,779	8,873
Dec. 1936	9,554	6,985
Jan. 1937	8,843	4,998
Feb. 1937	11,764	9,585
March 1937	16,452	18,602
April 1937	1,502	903
May 1937	1,162	559
<b>TOTAL</b>	<b>55,056</b>	<b>50,505</b>

State	Number of Recipients	Population Over 65	Percent of Recipients Over 65
Texas	127,772	275,000	46
Illinois	120,317	487,000	25
Ohio	103,969	470,000	22
New York	91,662	770,000	12
Pennsylvania	81,097	605,000*	13
California	73,691	441,000	17
Minnesota	60,568	189,000	32

Whereupon, the witness, Mr. John F. Wallace, after being duly sworn, testified as follows:

June 22, 1937

Q. (By Mr. Morris) Will you state your name to the Committee and the position you now hold?

A. John F. Wallace, member of the State Board of Control.

Q. Now, Mr. Wallace, will you explain to the Committee what position you occupy in regard to the administration of the Old Age Assistance Funds?

A. The Board of Control under the last Act is responsible for the admin-

istration of the Old Age Assistance. The Old Age Assistance is a division of the State Board of Control.

Q. Now as a member of the Board of Control, Mr. Wallace, have you ever issued any statement to the press or to any private individual that there would be any certain amount of Old Age recipients of Old Age Assistance cut from the assistance rolls?

A. I have not.

Q. Do you have any idea as to where those reports originated?

A. I do not.

Q. You don't have any opinion whatsoever?

A. Well, I remember it in the

Note: \*Population over 70.

papers, that is all. I happened to attend a meeting where it was discussed.

Q. Has any representative or agent of the Federal Social Security Board ever intimated to you that there would be any such reduction in the rolls?

A. Several different times representatives of the National Old Age Assistance called on the Board of Control and made a comparison between Texas and New York.

Q. I am going to ask you if the Federal Government or any of its agents has at any time intimated to you as a member of the Board of Control they were going to ask any such reduction in the pension rolls?

A. On several occasions representatives of the Federal Old Age Assistance Authority called on the Board of Control and made a comparison between Texas and New York, stating that they didn't understand why it was that New York, more populous than Texas, had only 92,000 old age assistance recipients on the rolls and Texas had possibly 132,000 or 130,000 as the case may be, and urged that it go forward with the reinvestigation provided by the last Old Age Assistance Law, to try to determine why the difference, stating that Texas has 44 plus percentage of people 65 years of age and over on the rolls, which they stated was the largest in the U. S. except Oklahoma, and Oklahoma had only recently passed Texas.

Q. Mr. Wallace, at these conferences you refer to of the members of the Federal Social Security Board, they have not given you any reason to believe, however, that the Federal Government is going to withdraw?

A. They didn't intimate what would be done but I understood that they were dissatisfied with the large number of old age recipients on the rolls.

Q. Have they recently urged that you make a new investigation of these cases?

A. On every occasion that they called on us they discussed with us the pushing forward of the reinvestigation of the rolls to determine whether or not the ones that were put on the rolls under the old law could be reduced to come under the new law.

Q. In your opinion will the Federal Government continue to participate with the State of Texas provided

the State still maintains the present loads as far as old age pensions is concerned?

A. It is my opinion they are dissatisfied with the present load and urge that we go forward with the reinvestigation to determine whether or not that we have some that were put on the rolls before the last law was passed and what they will do if it is determined that none of them is to come off I don't know but I think from the fact they called on us several times they declared they are dissatisfied with the present load.

Q. Are there any particular provisions of the present law that they are dissatisfied with?

A. They stated they were not dissatisfied with the present law, they stated that they thought under the old liberal law it was possible we had more on the rolls than could qualify under the new law, or delimiting law, which was passed.

Q. Now then in case the Legislature should liberalize the law to a certain extent, and let us suppose that that extent was amending the present law providing that no one should be denied assistance because of the ability of any of their children to support them, do you think that with this change in the present law that the Federal law would not still consent?

A. Anything I would say would be a guess because I remember the National law and I understand it to provide that it shall be based on need. I understand that the Federal authorities were here when the last law was passed as it was finally written and it would not be necessary to write in to get Federal participation.

Q. In your opinion, under the present amount of revenue that is going to the Old Age Pension Fund, how much longer can your Commission operate, continue to make these payments?

A. The statement that we made up here, on an estimate we could run only to about November, provided of course that you would just include what is maintained. The average grant in May was \$13.65 and in June \$13.74. I believe in my opinion they would either have to reduce the number that are on the rolls or possibly a further reduction in the June average of \$13.74.

Q. You mean that this revenue is to last until November 1, only if a

further reduction is made in the rolls, either a further reduction in the rolls or reductions in the average grant?

A. It would appear from this statement that we would not have enough to run in December unless the rolls were reduced or the amount, the average amount, was reduced.

Q. In your opinion, Mr. Wallace, do you think that the present average grant is a fair grant?

A. I do not.

Q. Do you think it should be raised or lowered?

A. I think it should be raised.

Q. But under the present amount of revenue on hand it's going to be impossible to raise it?

A. It is impossible to pay any more than we are because we are paying out all of the income.

Q. I will ask if it is possible or not that if these funds were to be appropriated the average grant wouldn't be materially more?

A. Unless the reinvestigation takes off some of the people that are now drawing the old age assistance or additional revenue is raised, then we will not have enough to run through December.

Q. It has been the policy of the Commission to cut off any applicant or deny any application because of the fact that they had insufficient revenues?

A. No, sir, it is not the policy, but the effect of the law is that you have to deny some of them assistance that were eligible provided you had the money. In other words, the definition of old age assistance of need under Section 11 over here provides that you can not add to their income to make it more than \$15.00 plus whatever you get but we might find that it was necessary to grant \$25.00 but on account of not having the money we would have to prorate it down. That is the effect of the law, and not denied the money necessarily for any other reason than because we don't have the money.

Q. Then if the Legislature raised such money the law would within itself liberalize itself?

A. The law is more liberal now than we have money to put into effect.

Q. Mr. Wallace, I will ask you this, how much has the average applicant lost due to the failure of the Legislature to raise such revenue?

A. Well, this is as good an answer as I can give you, in May with the average of \$13.74 it was possible to have given them thirty under the law and in June \$13.74 it was possible to have given them thirty.

Q. How much has he lost due to the loss of racing taxes?

A. The estimated amount as figured out here, say the maximum might be \$350,000.00 a year. You understand that an estimated maximum of income might have been \$350,000.00 a year for old age assistance.

Q. Do you think that Texas has reached her load peak?

A. I think it has reached its load peak and possibly more than it will be at any other time unless the law is changed.

Q. (By Mr. Rhodes) Here is a letter one of the Members received from one of his constituents, "My mother was informed this past week that she would be dropped from the rolls from the first of July because she had children. The investigator informed us that they would take into consideration the financial condition of the children, that anyone with children was going to be taken off of the rolls. She said further that all that would be left on the rolls would be negroes and Mexicans and some poor white trash." Where did this investigator get this information, any such information as that?

A. We did not give any such information from our office.

Q. What appeal is possible in cases entitled to receive assistance?

A. The law provides that when an applicant is denied they may appeal and the Board designates someone to hear that appeal and forward it to Austin and two members of the Board has to agree to it or reject it.

Q. Whom do they appeal to?

A. To anyone designated by the Board of Control to hear the appeal. The law provides that.

Q. Who is the one that finally passes as to who may need it?

A. The local authorities is what the statutes provide to make the examinations and to tell attendance and to take the affidavits and make the examinations and investigations conclusive and make recommendations then, the recommendations going to the District office, and the District office either rejecting it or approving it or reducing it.

Q. (By Mr. Johnson) Mr. Wallace, report has been given to me that over here in Cass County the District Supervisor called upon a local Investigator to cut, out of approximately 800 names, at least 250 from the rolls. Do you know anything about that particular case?

A. I never heard of it before.

Q. You never heard that about the District Supervisor or the local Investigator? If those facts did exist, the information has not been received by you?

A. I never heard of this, and the Board never issued any such instructions.

Q. That is as far as you know?

A. I think I have attended every meeting and I have never heard of it before.

Q. Do you know anything about Webster going throughout Texas in various districts and calling upon the District Supervisors to cut at least 250 persons off the rolls of those now receiving old age assistance?

A. I never heard of it.

Q. Are you responsible for the statement in the Austin American newspaper of June 18 relative to the fact that the Board of Control is preparing to drop off 30,000 aged people from the old age assistance rolls?

A. I made no such statement of that kind. I remember it in the paper but the paper didn't state as I remember that the Board of Control had made any such statement as that.

Q. Well did you conduct any investigation relative to that statement appearing in the paper?

A. I did not.

Q. Well, since then have any facts come up concerning the possibility of dropping approximately 30,000 from the rolls?

A. I read that statement in the paper and I knew that no such instructions had been coming to the Board of Control to that effect, not even to drop one per cent as proposed by law.

Q. No such facts actually existed? The Board of Control issued no such statement to that effect?

A. No sir.

Q. In other words, Raymond got that information unbeknownst to you?

A. I don't know where he got it.

Q. Well the Old Age Assistance was deliberalized by the Third Called Session of the Forty-fourth Legisla-

ture and the administration placed with the Board of Control. Could you give approximately how many at that time were receiving Old Age Assistance?

A. Approximately 89,000.

Q. Could you give me, Mr. Wallace, approximately how many were dropped from the Pension rolls from that time up until January 1, 1937?

A. No, sir, I don't have the information.

Q. Would you approximate that?

A. I really can't.

Q. Could you tell me how many were added to the rolls from January 1 of this year—how about since November 1?

A. I don't know but we had approximately 89,000 on the rolls from November 1 and then maximum number has been a little less than 130,000, about 41,000 added since November 1st, I think that is correct.

Q. Of your knowledge could you approximate how many have been dropped from the rolls since January 1st of this year?

A. I could not. The number changes daily because we have several deaths daily and someone reaches age daily and some of the ones that were placed under the old liberal law are being taken off daily so it varies every day from those three causes.

Q. Are you making any plans now to make reductions in your rolls?

A. We are going forward as rapidly as possible with the reinvestigation as authorized and ordered by the Legislature.

Q. Are you going back and re-investigating the first approximate 89,000 that were on the rolls?

A. If there is anybody on the rolls that ought not to be in the first 89,000 placed on it under the old local law upon reinvestigation of rolls of the applicants or recipients on the rolls on November 1st, 1936.

Q. Please explain to the Committee why the number receiving Old Age Assistance was increased by the Legislature in Session and bills pending to liberalize the present law, and as soon as the Legislature adjourned the move began to reduce the rolls under the same law. Was the purpose behind such a procedure to discourage the passage of any bills to liberalize the Old Age Assistance plan?

A. Well that is hardly a fair question because nothing like that happened.



Q. (Mr. Johnson) Do you know approximately how many will be dropped as a result of the deliberalizing laws?

A. I do not. The instructions that were issued were to investigate as rapidly as possible. The ones that are not eligible under the new law must be dropped. We don't know whether that will be one, ten, one hundred, or any other number.

Q. If an applicant is denied Old Age Assistance then that applicant of course is given the right to appeal?

A. If the investigator denies it or in either case it goes to the District officer and the applicant has the right of appeal.

Q. Where do the appeals go?

A. The appeals go to anyone the law provides that they may designate to hear the appeal.

Q. You designate one person?

A. No, sir, we have had at different times a good many. We have had 20 to hear them. Usually the District Supervisors hear those appeals.

Q. In case that appeal is denied, what recourse does the applicant then have?

A. In either case it has to come on in review to the Board of Control, where it comes finally, and two members have to approve it or not.

Q. The Board of Control finally decides whether the applicant is given his last right of appeal?

A. That is correct.

Q. And there is no recourse any further?

A. None that I know of.

Q. In what District do you hold the cases brought to you in appeal?

A. Each District holds appeals for that District and we can send another man from the office if they get a little crowded to help relieve or when we could under the law to hold those appeals.

Q. (By Mr. Morris) Who were these Federal Authorities that you talked to?

A. Well one of the man's names was Alspach, Mr. Oscar M. Powell from San Antonio, and another man I had never seen, I can't remember his name.

Q. Do you know where his office is?

A. I understood he was Regional Investigator for the Federal Government and had three States in his District. If you have Mr. Powell he can tell you his address. I don't know.

Q. (By Mr. Johnson) A Member asked that this question be asked, "Who is to be blamed for this story appearing in the Austin American, who is to be blamed for this story and why does the Commission not investigate the false statement that was printed in the paper?"

A. It is not our duty to investigate the article in the paper and we issued a statement that the Board of Control had issued no such orders as that.

Q. In other words you didn't like the statement that appeared in the newspaper but you didn't figure it was any of your business?

A. We would not have time to try to check all of them.

(Witness excused).

Whereupon, the witness, Mr. Raymond Brooks, after being duly sworn, testified as follows:

June 22, 1937

Q. (By Mr. Morris) Will you state your occupation, and your name?

A. Raymond Brooks, correspondent for the Austin paper.

Q. I will ask you if you were the author of the article appearing in the Austin American June 18 which stated that the Board of Control was going to drop 30,000 from pension rolls?

A. Will you read it over, the headline over?

Q. The Board of Control preparing to drop 30,000?

A. Yes, sir, I wrote it.

Q. I will ask you where you got that information, did you get it from the Board of Control?

A. I did not.

Q. I will ask you where you did get that information?

A. May I answer it rather fully? The information came to me from a public official, reporting another public official. It did not come directly from a public official concerned with that matter himself but came as a statement of another official who quoted that official.

Q. Could you use the names of those men?

A. I could not because I was not authorized by the gentleman that I talked to because he was an official and I am not privileged to do so.

Q. I will ask you this, Mr. Brooks, was the official connected with the Old Age Assistance Commission?

A. The one quoted by the second person, yes sir. It was not Mr. Little.

Q. You say it did not come from any member of the Board of Control?

A. Directly to me it did not. I am not saying whether it came from any member of the Board of Control or not. I understand the official to be connected with the Old Age Assistance through another public official.

Q. (By Mr. Johnson) Was it Clarence Farmer?

A. Under the principle of the process of elimination I would be unable to say it was or was not.

Q. (By Mr. Morris) I believe you said that it did not come from any person connected with the administration of The Old Age Assistance?

A. No, sir, I did not say that.

Q. I will ask you whether it did come from any person connected with it?

A. The answer that I made was that it came from someone unknown, I understood he was connected with the Old Age Assistance Commission. I am not trying to avoid your questions but I am not privileged to quote the gentleman. He told me I couldn't quote him or the other gentleman directly but it was an official in whom I had entire confidence in what he said.

Q. Did you have any conversation with members of the Federal Social Security Board?

A. That is some more of your elimination business and by that process I don't want to answer.

Q. Well, I will ask you if the information that you have got, would you rely upon it as reliable information?

A. I did, fully.

Q. Do you still believe that they are going to be cut some 30,000?

A. I think not, I think perhaps the committee knows in this respect what is being done right now and if you take your own figures here that are quoted into the record you will see where you get your 30,000 and that is the way in which you are justified in your interpretation of anybody.

Q. That is all.

Q. (By Mr. Johnson) Have you discussed with anybody this proposition of 30,000 being cut from the rolls with any members of the Board of Control?

A. You mean at the time I was writing the Story?

Q. Yes, sir.

A. Not in connection with the material in the story, I may have asked

them about it some time before but it was not based on anything stated to me directly.

Q. Have you discussed it with the Board of Control since that time?

A. No, sir, I have not.

Q. Would you ask the official who gave you this information if he minds your giving the House his name and if he is agreeable please do so?

A. I will be glad to do that but I can't do it at this moment.

Q. Mr. Brooks, has the Board of Control ever discussed with you where you got this information?

A. The Board of Control has not.

Q. Has Mr. Little ever discussed this matter with you or any other agent or anyone connected with the Old Age Assistance Commission?

A. Yes, sir, someone down there asked me where I got it.

Q. Who was that gentleman, Mr. Brooks?

A. Mr. Kenneth Parker I believe was the gentleman down there.

Q. What does he do?

A. He works in the Department.

Q. Did you tell him where you got the information?

A. I told him absolutely what I have testified to.

Q. In other words, he agreed with you about the proposition?

A. No, sir, I turned around and asked him whether it was true or not.

Q. He was not noncommittal?

A. Yes, sir.

Q. I believe that is all.

(Witness excused).

Whereupon, the witness, Mr. Oscar M. Powell, after being duly sworn, testified as follows:

June 22, 1937

Q. (By Mr. Morris) Please state your name and your official position to the Committee?

A. Oscar M. Powell, I am Regional Director for the Social Security Board for the States of Texas, Louisiana, and New Mexico.

Q. Tell the Committee, Mr. Powell, what your official duties in regard to the old age assistance are?

A. The Regional Office considers the request for Federal Grants each quarter, comments on the estimate that is submitted by the Texas Old Age Assistance Commission to the Bureau of Public Assistance in Washington and on the basis of the comments and findings of that Bureau the Board makes or declines the grant

as requested so far as the State Administration is concerned. The Regional office reports to the Board compliances or non-compliances on the part of the State Agency with the law and the plan under which the Federal grants are made.

Q. Have you within the last 30 days conferred with any members of the Texas Board of Control or any members of it connected with the administration of the Old Age Assistance Law?

A. Yes, sir, I have.

Q. During that conversation had you at any time intimated that the Federal Government would withdraw its participation in the Texas program unless there were a drastic reduction in the old age assistance rolls?

A. No, sir.

Q. I will ask you if you heard them to say they were going to make a thorough investigation with the idea of reducing the number of those receiving old age assistance?

A. I would like to answer that question categorically. I talked with Mr. Claude Teer some three weeks ago I think it was, I don't remember the date, it was within the last month, however, and called his attention to some comparative figures showing the number of persons receiving old age assistance in Texas as compared with the number of persons receiving old age assistance in other States in the Country. During the course of that conversation, or I might say that by way of the figures showed that Texas Old Age Assistance Commission was granting aid to approximately 443 persons per thousand persons who were 65 or 75 or over, which was very much in excess of the National average and very much in excess of states which had similar to Texas.

During my conversation with Mr. Teer, we discussed the possible reason whether there was difference in the economic conditions in this State or whether there was a difference in the method of administration that would be in use. During the course of the conversation it was developed that there was some 80 odd thousand, I think, in round figures 88,000 persons who had been granted assistance prior to the amendment of the Texas law last fall, who had not yet been re-investigated and it was tentatively decided at that time that in order to determine once and for all who were actually in need and who were ac-

tually eligible for assistance under the law as now written that it would be wise to go back over the cases and review their need, their assets and resources, with an end in view of establishing the eligibility or non-eligibility of those persons who were now on the rolls. Last month there were some 130,000 of them and it is my understanding that it has been adopted by the Board as a policy to reinvestigate as rapidly as possible those persons who were receiving old age assistance prior to the revision of the law and who are still on the rolls. I have not talked with Mr. Little about the actual process that has been adopted in the light of that conversation, and I am afraid I am not going to be able to be of much help to you in work actually being done. I can tell you what the general conversation was with Mr. Teer some weeks ago.

Q. You have not instructed the Board of Control or Mr. Little to reduce the assistance rolls in this State by any fixed amount, say 25,000, 30,000, or 40,000?

A. No, sir, I have not. I can't do it because that is not the way we function.

Q. In case a re-investigation of these cases shows that every one of those now receiving old age assistance as of June payment shows that they are entitled to, under the Texas law, I will ask you if in your opinion the Federal Government is going to continue to match that money dollar for dollar?

A. The extent of re-investigation that Texas is making, I will say yes, sir. You understand of course that your Appropriations Act has not been passed by the National Congress, but so far as the policy is concerned it is up to the State to determine immediately their accordance with the laws and plans as submitted to the Board.

In other words, it is the policy of the Federal Social Security Board to, at any time, tell any State that participates in age assistance, exactly what constitutes need or "necessitous circumstances"?

A. That is correct.

Q. And if the State of Texas should liberalize the pension law to the extent of amending it and providing that no one should be denied assistance because of the ability of any of their relatives to support that applicant, in your opinion if that lib-

eralization was done would the Federal Government continue to participate?

A. I can't answer that question for this reason. The approval or disapproval of a State law or plan is within the province of the Board itself. Each State law and each State plan is taken up and presented to the Board and the Board then determines whether that law and plan conforms to the minimum requirement that is placed in the Federal Act. That is a responsibility of the Board itself, and I would not be presumptuous enough to suggest what the Board might do in a given instance. That is a hypothetical question. Assuming that the Board itself would not and does not answer ahead of time, or the law was submitted for approval, it has been the practice of the Board as I understand it, to await the submission of a law and plan before submitting the approval or disapproval, the same sort of thing the court does with a case, it does not give opinions ahead of facts.

Q. Do you know whether any other States in the Union have liberalized or have a law as liberal as the illustration I gave you and still be approved by the Federal Government?

A. I am afraid I can't be much help to you there, because I am not familiar with laws outside of the Region. I wouldn't even attempt off hand without reviewing the laws and plans of the other two states.

Q. Now then you are not a member of this Federal Social Security Board?

A. No, sir, I am just a hired hand.

Q. (By Mr. Johnson) Do you make recommendations to the Board yourself?

A. Yes, sir, a great many of them. It depends on what kind of recommendations you mean.

Q. In regard to the laws of Texas, the Old Age Assistance Commission?

A. No, sir.

Q. Does anyone make them that you know anything about?

A. Yes, sir.

Q. Who does that, Mr. Powell?

A. The Division of the Bureau of Public Assistance. All State laws and plans are first submitted to the Bureau of Public Assistance and then for information review, and then are submitted to the General Counsel's office of the Board for an opinion as to legal conformity with that law

and plan with the Federal Act and recommendations of the Bureau of Public Assistance. It isn't in my province to recommend one way or the other as far as the law or plan is concerned.

Q. Who is on that Board, Mr. Powell?

A. The present Chairman of the Board is Arthur Altermire, the second is Vincent Miles, there is one vacancy on the Board at present.

Q. In other words there are three members on the Board, one place vacant?

A. That is right.

Q. These gentlemen make their recommendations, the members of the Board make the recommendations?

A. No, sir, they pass on the recommendations made by the General Counsel's office, the General Counsel is Thomas Elliott, Chief of the Bureau of Public Assistance is Miss Jane Hoyt.

Q. How many members does this Bureau have?

A. The Director of the Bureau is Miss Jane Hoyt, she has her staff, a great many people.

Q. Mr. Powell, do you know anything about the State of New York having a compulsory insurance law?

A. No, sir, I don't know anything about the New York law or plans.

Q. You don't know anything about it?

A. No, sir, all I know is the statistical figures that are furnished us currently.

Q. Of course economic conditions could enter into it that the reason why the rolls of Texas are much higher than the State of New York?

A. It might be one of them, yes, sir.

Q. Did the Board, Mr. Powell, ask you to confer with the Board of Control here in Austin relative to a reinvestigation of the Texas Old Age Assistance rolls?

A. They did not.

Q. You have not received any official word from Washington relative to those facts?

A. No, sir. A part of the routine duties of the Regional office is to conduct the administrative agency record carefully to try to determine the actual operation of the State administration as to the conformity with the law and plan.

Q. Mr. Powell, did Mr. Teer agree to have a reinvestigation made after he had conferred with you?

A. I don't know, there was no agreement reached between us. We simply had a talk that lasted probably forty-five minutes or an hour, we discussed what might be done, what possibilities there were available to determine actually who were in need and those who were eligible under the Texas law and plan.

Q. When did you have that conversation with Mr. Teer?

A. I don't remember, some three weeks ago.

Q. Here in Austin?

A. Yes, sir.

Q. Prior to this statement that appeared in the newspapers?

A. Yes, sir.

Q. Do you remember seeing this statement in the papers?

A. I read it in the El Paso paper Saturday morning.

Q. You have not discussed this matter with Raymond Brooks or any other newspaper correspondent?

A. No, sir, I have not.

Q. Have you made any suggestions to Mr. Teer as to any method or way that the rolls could be cut down, Mr. Powell?

A. Yes, sir, we had quite a lengthy conversation, as I said, about three quarters of an hour or an hour. The purpose of the conversation was to find out who were eligible, and the method that might be employed to find out whether any of these large groups who were presently on the rolls had been granted aid properly under the new law.

Q. In other words it was your idea to try to find out the number on the rolls due to the passage of this Act during the Called Session of the Forty-fourth Legislature?

A. It has been the policy of my office, or that is the Regional Office, to encourage the State agencies to periodically reinvestigate to see if there has been any change in conditions, when there is a change in the law to go back and review the load and see that the people are receiving aid are actually under the terms of the new law eligible to assistance.

Q. Do you have any objections to the liberalized law?

A. It isn't my position to either object or commend the State plan, that is the State's business and not the Federal Government.

Q. Could you make any suggestions to this House as to what might be done, or how this law might be administered?

A. I wouldn't be so presumptuous, no, sir.

Q. Mr. Powell, were you Regional Director during the time we had the deliberalizing law through the Old Age Assistance?

A. Yes, sir, I took office April 9, 1936.

Q. Didn't you appear here last fall before this same microphone?

A. Yes, sir.

Q. Did the Federal Government approve the plans as enforced at that time by the Texas Legislature?

A. They have approved it and made grants under it for many months.

Q. Mr. Powell, in your opinion would the Federal Government have approved the deliberalization plan as was enforced prior to the Third Called Session of the Forty-fourth Legislature, in your opinion do you think the Federal Government has approved, or continued to approve it up to the present time?

A. I can answer this way. I heard no discussion officially or otherwise coming from any members of the Social Security Board or staff that indicated to me that there was any act contemplated to terminate the approval of the Texas Plan. As I say it is a matter for the State to determine which of its people are in need.

Q. Do you know of your own knowledge as to whether or not the Board made a recommendation or was asked to make a recommendation that the Texas Old Age Assistance law should be deliberalized prior to the deliberalization do you know?

A. I think not.

Q. (By Mr. Morris) In your opinion if there developed that there were 150,000 old people in Texas that were really in need would the Federal Government continue to meet the State fund?

A. Yes, sir, I think so as far as the resources would go.

Q. Now does your district cover more than one State?

A. Yes, sir, it covers three States, Louisiana, Texas, and New Mexico.

Q. Is the Texas law more liberal or do they have an old age assistance in Louisiana and New Mexico?

A. In both, yes.

Q. Is the Texas Law more liberal or less liberal than the laws of the other two States in your region?

A. Well, of course that depends on the definition of the term "liberal".

I think the requirement for eligibility and under the Texas law, the law and plan are very similar to those of New Mexico and Louisiana. I might add now that Texas is next to the top of the list as far as our statistics disclose as to the number of persons who are actually receiving Old Age Assistance per 1,000 aged persons in the State.

Q. What is the total as far as the Old Age Assistance is concerned?

A. I don't have those figures available, do you mean total or average?

Q. Per average.

A. The average for all States as approved was approximately 180 recipients per 1,000 agents. Texas is paying approximately 443 out of every thousand.

Q. What State pays the most?

A. Oklahoma pays the most.

Q. What is the average in Oklahoma?

A. 483.

Q. What State is next, third?

A. I don't have them tabulated that way, I could get you that information if you are interested in it.

Q. You used the State of New York a few minutes ago, what is the average in New York.

A. I think I can give you that third figure, it isn't tabulated, but I think the third figure is 315. The remainder of the States show recipients per thousand, ranging from 315 in Minnesota to 406 in Maine. Let me see if I have got the New York figure. I don't find the actual percentage for New York here but I do recall having read it recently, I think from our Statistical Bulletin, and it stated that New York, having a much larger population than Texas, had some 28,000 less persons on its rolls than Texas.

Q. Doesn't this condition exist in most of the Southern States, they have a larger average per thousand than they do in the northern States?

A. I am sorry that I don't have a tabulation by States here. They are some picked at random. We got the National averages, the highest and lowest outside of Texas, but I don't have a tabulation either Southern or Northern here with me. I could get that and furnish you the information if you are interested in it.

Q. Could you furnish us that information, Mr. Powell?

A. I will be glad to.

Q. Now this question has been re-

quested by another Member. Isn't it a fact that circumstances of the applicant as well as the law also governs the number on the rolls?

A. Well I think the law takes into consideration the circumstances of the applicant. That is a part of the law as it exists in Texas.

Q. To what do you contribute the large number of recipients in the State of Texas?

A. I don't think that I am qualified to answer that. Someone who has had a different kind of training and background than me, I am not an expert in Public Assistance nor in Research, Statistics, nor in Administration of Old Age Assistance and I wouldn't want to make a guess on it.

Q. Mr. Powell, I will ask you whether or not the law in the State of Louisiana and the State of New Mexico takes into consideration the ability of the applicant's children or relatives?

A. I think so, I think so. I wouldn't want to make a positive statement without reviewing the plans.

Q. Do you have any idea how many States in the Union take that into consideration?

A. No, sir.

Q. Do you know whether Oklahoma takes it?

A. I don't know.

Q. So far as you know did the Federal Government insist that the Texas Old Age Assistance Law be de-liberalized at the time it was drawn by the Forty-fourth Legislature.

A. I think the same question was asked awhile ago.

Q. Would you mind answering that again?

A. So far as I know there was no insistence or requirements on the part of the Federal Government that the Texas laws be de-liberalized.

Q. Did the Federal Social Security Board make any recommendations whatsoever?

A. There have been a great many recommendations. As far as the administration is concerned I might say here that I am not as familiar with the details of the recommendations that have been made as I might be if I had made the recommendations myself. In the Regional offices we have Representatives of the Bureaus who deal with those specific problems. My own position is not administrative. That has been assigned to the Regional officer who deals primarily with

these Public Assistance questions. Unfortunately the Regional Representative who was most recently assigned to this office has been re-detained and there is no Representative of that Bureau in this Region at the present time.

Q. Do you know a Mr. Alspach?

A. Yes, sir.

Q. What official position does he hold?

A. He was formerly Regional Representative of the Bureau of Public Assistance assigned to this Region.

Q. Do you know whether or not he made any recommendations to the Board of Control or to Mr. Little, the Acting Director of the Old Age Assistance Commission in regard to reductions in the rolls?

A. I do not know.

Q. Mr. Powell, I have been requested to ask you if you can furnish the Committee for the record the number of per thousand population of each State and the average number of pensions of each, the number of individuals receiving aid for each State in the Union and the number per thousand of each State according to population, and the average monthly pension of each.

A. Yes, sir, very easily.

Q. Per thousand, over 65 years?

A. Yes, sir, to whom shall I send these?

Q. To me, Mr. Powell. I believe that will be all.

(Witness excused)

Whereupon, the witness, Mr. Claude Teer, after being duly sworn, testified as follows:

June 22, 1937

Q. (By Mr. Morris) Your name is Claude Teer?

A. Yes, sir.

Q. You are a member of the Board of Control of the State of Texas?

A. Yes, sir.

Q. Mr. Teer, have you at any time as a member of the Board of Control ever issued any statement to any members of the press or to any private individual that the Board of Control contemplated reducing the pension rolls to the extent of 25,000 or 30,000?

A. No, sir.

Q. You never issued that statement?

A. No, sir. However, this is what I said. I talked to several Members of the Legislature and possibly some members of the press, I don't recall

that in the discussion of the problem with reference to our case load. At that time it had been discussed that possibly 20,000 or 30,000 people might be reduced off the rolls based on the high percentage Texas and Oklahoma had on the rolls; but the Board of Control or any members of it has never issued any statement relative to any number of people, because no one knew along that line. May I say for your information that about two or three weeks ago we called a staff meeting down at the old age assistance and asked them to go out and investigate those people who were on the rolls under the liberal law who had not been reinvestigated because Members of the Legislature and individuals were saying that there were people in their counties on the rolls who were not eligible and that favoritism was being permitted and people who were entitled under the present law were not being placed on there; that is that they could not and were not being taken on so we asked the staff to go out and make an intensive investigation of those who had not been reinvestigated under the present law to see whether or not they were eligible and should remain on the rolls.

Q. Did the Federal Government through any of its agents in any conversation with you, Mr. Teer, intimate that they were going to demand that a thorough investigation be made to determine the possibility of reducing the number of those receiving assistance?

A. No, sir.

Q. You didn't issue any statement?

A. No, sir.

Q. Not to any members of the press or to any individual that 30,000 people were going to be dropped from the rolls in order to meet Federal requirements?

A. No, sir, the conversation related to the possibility that might exist in those who had not been reinvestigated, that were classified and not reclassified since this law was put into effect and that was the only conversation I have had and there were no such figures as that discussed relative to the percentage that might be possibly taken from the rolls. There might be taken into consideration that Texas has 483,000 and Oklahoma 515,000 and other States much lower in our section of the United States; that it might be pos-

sible that the roll could be justly reduced; therefore we wanted to get the percentage for our information. We stated to the staff that we did not want any man taken off the rolls who was eligible and we wanted every man taken off who was not eligible.

Q. You have never discussed this with Mr. Raymond Brooks have you?

A. No, sir.

Q. Did you order all the pensioners to be reinvestigated with reference to the ability of relatives to support them?

A. Our rule, as laid down by the State, which we have tried to follow religiously, is that where a person has the opportunity to get support either from his nearest relative or friends that he be taken off of the rolls. That is the intent of Section 4 there and it is also in the present law; and this law also says that this law was passed for the purpose of reducing the number on the rolls, etc.

Q. Mr. Teer, wouldn't it be pretty hard to investigate the opportunity of an applicant having a friend to support him?

A. That is what the law says.

(Witness excused)

Whereupon, the witness, Mr. George T. Spears, after being duly sworn, testified as follows:

June 22, 1937

Q. (By Mr. Morris) State your name, please.

A. George T. Spears.

Q. What position do you occupy?

A. I am District Supervisor of the Texas Old Age Assistance Commission, District number four.

Q. That district is located at Dallas?

A. That is correct.

Q. How long have you been District Supervisor?

A. I have been a District Supervisor since the beginning of the old age assistance, the 14th day of February, 1936. I have been District Supervisor at Dallas since the 5th day of January, 1937.

Q. Has any member of the Board of Control or has Mr. Little issued any orders to your office to the effect that some 30,000 recipients of the old age pension must be cut off in order to meet Federal requirements?

A. No, sir.

Q. You are aware of the fact that that report was circulated in the newspapers June 18 in Austin?

A. I get copies of all news stories in papers in my District and I have seen some clippings to that effect.

Q. Do you have any idea from what source that information could have come?

A. No, sir, I do not.

Q. Do you know whether or not the Federal Government through the Social Security Board has issued orders that any immediate reinvestigation be made for the purpose of reducing the rolls?

A. I do not know that the Federal Government had made any such request.

Q. Did Mr. Little or any agent of the Old Age Assistance Commission make that request?

A. That we reduce our rolls?

Q. Yes, sir.

A. No, sir.

Q. Mr. Spears, in your district, we'll say as far as the May checks were concerned as compared with the June payment was there a reduction in the amount?

A. I can't answer that question, because I don't keep those records in my desk office, those are all kept in the State office. I judge that the files would be about the same, there might be some slight reduction because we have been for the past two or three months engaged in reinvestigating procedure.

Q. Do you know when—the date the June payments were mailed out?

A. Of course I don't have the exact date on that because they are mailed out of this office somewhere around the middle of June.

Q. Since the first day of June in your district have there been more people cut off the rolls than usual for that period of time?

A. That is probably true.

Q. Do you give any instructions to the Investigator?

A. I do, and my Supervisor of Investigations.

Q. Who is your Supervisor?

A. Miss Nell McElroy.

Q. Does she take instructions from you or do you take instructions from her?

A. She takes instructions from me.

Q. Do you have the authority to instruct the local Investigators in your District?

A. That is correct.

Q. Did you make any request or issue any instructions to any of the



local Investigators that any certain number be cut off each week?

A. No, sir, I have not.

Q. I will ask you whether or not it is a fact that you ask any local Investigator to cut off, say 30 a week?

A. I have not.

Q. I will ask you whether or not you ever issued any instructions to them that it was necessary that the load be decreased in your district?

A. I have.

Q. What was the reason for making that request?

A. Because in reviewing my case load, like I say, I took charge in January of this year, and in reviewing my case load, I felt that we had some recipients on our rolls put on under the old law that could not qualify under this law and it has been my aim to equally administer this Act all the way through. I find this, that some of the recipients' chief complaint is that the next door neighbor is not as eligible as they, and he is getting assistance, that is just due to the fact that the next door neighbor could qualify under the old law and could not under the new law, and on reinvestigation he can't qualify and is removed, and if he is found to qualify he is retained.

Q. What is your interpretation of what constitutes need?

A. The need in one case would be one thing and the need in another would be different, but still would be need.

Q. I will ask you whether or not you leave that definition entirely in the hands of the local investigators?

A. The investigator makes careful investigation of each case and makes his report to the District office. Of course there are instructions under which he operates.

Q. Is it your policy or has it been your policy in the past that anyone who has relatives, by that I mean children able to take care of them, is it your policy that their application should be denied?

A. My understanding of the law is that we must take into consideration the applicant's opportunity to obtain support from other sources, if that is his children I so consider it as the basis for denial, provided the children are financially able to care for their parents without depriving their own family.

Q. Let us suppose that they are not willing to take care of them?

A. That goes right back into the individual cases.

Q. You will not say it was an arbitrary rule that the fact that the children were financially able to take care of them would be within itself sufficient to result in denial?

A. I think not.

Q. Do you think that within the next two months that there will be any drastic reduction made in your district?

A. I anticipate a reduction, but not a drastic reduction.

Q. Let me give you an illustration. Suppose that an application is denied and a reinvestigation is asked and after that reinvestigation is made then you found that they still ought to be denied, the only recourse they have is an appeal before someone appointed by the State Board, is that right?

A. That is correct.

Q. Does the Board of Control as a rule designate the District Supervisor to consider these appeals?

A. That is correct.

Q. Is it the policy of your office to shift the Supervisors around?

A. I have changed some.

Q. I will ask you if it is your policy to try, as nearly as possible, not to have in the county a residence of that county as an Investigator?

A. I think in all probability that an Investigator can do better work in a territory where he is not acquainted, I think that is just human nature. If a man has been born and reared in a community it is extremely hard for him to make unbiased decisions at times.

Q. (By Mr. London) You stated awhile ago that you had given Supervisors in your District instructions to reduce the number on the rolls, I believe that was what you said?

A. That is right.

Q. You did that, notwithstanding the fact that a reinvestigation of those who qualified under the old law might find them to be still qualified under the new law, is that correct?

A. Well, I told them to reduce the roll and I think I stated earlier why I figured we could reduce our roll.

Q. If a reinvestigation of the cases reveal that they are still eligible they still have your instructions that the roll must be reduced?

A. They have my instructions to make that reinvestigation very carefully and remove no one that can

qualify fully under the new law, but remove all of those who are not eligible under the existing act.

Q. Is there any truth in the statement that some of the counties have contests on between the Supervisors to see who could reduce the greater number per week in their respective counties?

A. We have no contest, not in District No. 4.

Q. Can you give me any idea of what percent of those cases that you have reinvestigated are found to be ineligible?

A. No, sir.

Q. Do you know whether it is 5 per cent, 10 per cent or what?

A. I keep none of those records in my office.

Q. But you do keep check on your Supervisors and know about what work they are doing each week?

A. Yes, sir.

Q. You could tell from that and their recommendations about what per cent could be reduced?

A. I could if I had been checking those with any thought of that in mind, but I go over the report and that is all I would have to check would be their daily and weekly record, sheet as we call it.

Q. I figured probably since you were interested enough to see that the roll should be reduced and a reinvestigation made of those cases, you might have looked into that and see how successful they might have been.

A. I have my record of what they have been doing.

Q. Could you give us an estimate, could you say one per cent or 50 per cent, we would like to get some idea. We know how many there were on the rolls by the old law, and by taking your district we could tell about what percentage would be reduced over the State?

A. I judge mine will run around 13 to 17 per cent at this time, and let me add that is based on investigations of applicants or recipients placed on the roll under the old law.

Q. About how many new applications do you receive per month in your office?

A. Approximately 250.

Q. Can you give me an idea what per cent are qualifying?

A. Approximately 95 per cent.

Q. Is that due to the fact that people are beginning to learn now about what character of cases can qualify and ceases to make applica-

tion or is that accounted for by the fact that you have already investigated your district?

A. I think that is accountable to the fact that we as employees of the Old Age Assistance Commission aid an applicant and discuss his case thoroughly before he makes application and if he sees that he is not eligible he very seldom makes application, we just interpret the law.

Q. Back to that word "necessitous circumstances", supposing that an investigator recommended that an applicant be denied assistance and the applicant does not make an appeal, do you ever go over the recommendation of the Investigator?

A. We review all reports that Investigators make on individual applicants.

Q. If on the face of the application there appears "he should have been granted assistance", or there is any doubt about whether he should have, do you give that application assistance over the recommendation of the Investigator?

A. We confer with the Investigator and show him the reason why we are returning the case to him and why we do not agree with his decision.

Q. You don't absolutely leave it up to the Investigator as to who shall receive assistance?

A. Not entirely, he makes the recommendation and if we don't concur—

Q. You have reviewed these cases now to where you are familiar with them, supposing that a man had no property whatever and no Insurance Policies and, we'll say, no one able to assist him and he has an income of \$10.00 per month, in your opinion would he be qualified?

A. It depends altogether on the individual case, as you have outlined that one he would be in need.

Q. Do you try to make up the difference between what his income is and \$30.00 per month?

A. No, sir.

Q. By what method do you arrive at the amount due an applicant, I mean by that do you try to raise all people to the same standard of living, take what they have and their income and their property all in consideration and then try to give them an amount as to a standard perhaps of less circumstances, or do you take an applicant who has, we'll say probably a two-room bungalow some place away out of town and it takes very little

for him to get along, and then another man living in town in a five-room cottage, do you try to raise the man who lives in the two-room bungalow to live along the same kind of standards as the man who lives in town?

A. I think his needs are not as great.

Q. Do you think that the fact that poverty, we'll say, has pushed a man down to where he is allowed only the barest necessities of life, do you think that we are justified in holding him down there, or do you think we should raise him up to the same kind of living as the man who's been more fortunate?

A. I think that all recipients of old age assistance should receive such amounts to take care of their needs. The man who lives in the country would not need as much as the man who lived in town because the man who lives in town has more taxes to pay.

Q. The question was do you think because of the fact that poverty has pushed the fellow in the two-room shack down to the station in life that he now lives, do you think that is any reason why we should keep him down to that station or give him enough money to assist him to live like the other man and give him more money in order to keep him up to that standard, the man has been pushed down and for that reason should be granted more assistance so that if possible he could enjoy the kind of life that the man who has been a little more fortunate has?

A. It has been my experience in this Old Age Assistance work that you will find a very small percentage of people that have been forced down, you do have a type of individual who has always lived on that plan. I do not think that you would probably be doing right then to furnish the man to stay in as you say, poverty, after he has been accustomed to better things of life and I do not think you will find in the review cases of the Old Age Assistance that that has been the practice of the Commission.

Q. I had in mind a specific case, it is not in your district, it is in a county under the supervision of the Fort Worth office. An old man there made application who lived away down on the creek, owned a little-two-room shack that had almost fallen to pieces and he almost starved to death for years there, they investigated him

and the Supervisor recommended that he be given \$5.00 a month, saying that his needs were not very much. On the other hand there is another man who lived up in town and had a nice five room house, his application showed him to have two or three hundred dollars on hand in the bank in addition to that he owned a little farm near that town. They gave him \$10.00 per month and his wife \$10.00 a month, saying his needs were more. The other man should have been given the same so he could come to town and live the same way. There is no reason why we ought to keep him down like that and not give him a little better advantage in life than he is accustomed to. He is entitled under the law to the same consideration as the other man that has been a little more fortunate.

A. You will find in District Number 4 that we have made every effort to take that type of individual you just used as an example, we have made every effort to take him and place him in a better home and in a respectable position. We have Investigators who specialize in cases of this kind.

Q. I was just trying to get what you thought was need, that was my purpose in asking those questions. A fellow at home had a small tract of land that was almost all brush and rugged hills and was not any good except for grazing a little, but they had an oil development there on his place and he leased that land for \$500.00. With that \$500.00 he purchased a small home and five acres of land, they give him as another condition of that lease an income of \$60.00 per month for the next five years, but the farm had no income whatsoever and several years he lived only on the \$60.00, and in this case he was denied assistance. I doubt if the farm could be sold because it was almost valueless. He had nobody to assist him, he had no insurance, no money on hand. In your opinion would that man be in need?

A. If the land that you say he received \$60.00 a year from had no value and could not be turned into cash, and based on the facts as you have outlined them, it occurs to me that the man could qualify.

Q. (Mr. Johnson) Did you notice in the paper, the Dallas newspaper in regards to approximately 30,000 recipients of the old age assistance being dropped from the rolls?

A. I did.

Q. Did that appear in all the Dallas newspapers?

A. I could not say.

Q. Since that time have you received any official notification from the Old Age Assistance Commission in regard to those facts as appearing in the newspaper?

A. No, I have not.

Q. Did you make an effort to find out the authenticity of those statements?

A. I didn't.

Q. About how often does the Old Age Assistance Commission call its Supervisors in for a meeting?

A. No stipulated time, we have been down, I think about five or six times.

Q. Have you held a meeting within the last two or three months?

A. Yes, sir.

Q. At that meeting was there any discussions made relative to the fact that the recipients of the Old Age Assistance Commission would have to be dropped from the rolls?

A. No, sir.

Q. (By Mr. Morris) Did you attend the meeting down in Austin last week?

A. I attended no meeting.

Q. Week before last?

A. As I remember it was three weeks ago, Friday.

Q. You did attend a meeting three weeks ago Friday, approximately that time?

A. That is right.

Q. I will ask you if any suggestion was made at that time that a reinvestigation would have to be made in an effort to reduce the rolls?

A. No, not to reduce the rolls. The purpose of the meeting was to have the Supervisors and Investigators in to discuss the reinvestigation procedure. I think that all districts in the State are up to the point where they are beginning, or have started probably a month or so ago, reinvestigating. We have a number of staff meetings since we started reinvestigating.

Q. I want to ask you again something in line with some questions I asked you a few minutes ago. Since you have been District Supervisor how many Investigators have been cut off and how many new ones have been put on?

A. Do you mean how many since I have been Supervisor at Dallas?

Q. Yes, sir, the Dallas district, approximately?

A. I can't give you the exact figure. When I first took charge of that office we found we had a tremendous job and they gave me at that time, as well as I remember, five Investigators.

Q. I want to ask you if any of those Investigators were sent for the purpose of checking up on some of the Investigators that have been working under your supervision?

A. Not that I know of. They are Investigators that were sent me, or people who had passed the examination and qualified to be Investigators under our procedure.

Q. Has there been any Investigators resigned because of the fact that they told you or wrote you upon their resignation that it would be impossible for them to cut off 30 a week?

A. No, sir.

Q. You have not ever given out instructions like that to no one in your office?

A. No, sir.

Q. Miss McElroy has not given out instructions?

A. No, sir, I do not know where you arrive at that 30 a week unless it was when we had our district conference. I made the statement that it occurred to me that under the procedure of reinvestigation an Investigator should be able to investigate 30 a week, I did make that statement.

Q. You did not say that 30 a week ought to be cut off?

A. I did not, because the investigation may not bear out, but I still say that I believe they can investigate 30 a week on reinvestigation.

Q. In case anyone connected with your office should have ever made that statement in the presence of a county official in your district what would be your reaction?

A. I would call them on the carpet, because no such instructions have been issued. It has always been my policy for my Investigators to tell the applicant, the county official and all interested people the absolute facts.

Q. In other words, you don't want anybody cut off unless they should be, under the law, cut off?

A. Yes, sir, that is correct.

Q. (By Mr. London) Do you have any idea how many applicants in your district were receiving assistance

under the old law before you started your reinvestigation?

A. No, sir.

Q. You said a while ago did you or not how many had been cut off since you started your reinvestigation?

A. No, I said I did not have that information.

Q. According to your best judgment it runs around 13 or 17 percent, is that right?

A. That is right.

Q. You have received instructions from time to time as to the percentage being reduced in other districts?

A. We get the present roll call record from the State office.

Q. Showing the percentage being reduced or the number of cases being dropped in other districts of the State?

A. We have received no bulletin of any kind or charts since the first day of June, if that is what you mean.

Q. Prior to that time did they issue a monthly bulletin or statement showing the number of reductions from the rolls in each of the respective districts of the State?

A. No, sir, that question I can't answer. During the month of May we received a bulletin showing the number of applicants, the number of recipients and the number of deaths and the number of denials in each county in each district.

Q. Now some place on that bulletin your attention was called to the fact that that percentage in your district was so much as asking you to compare that decrease with the percentage of other districts so that you could get an idea that you were doing as good work as the others?

A. The thought behind that was to have uniformity throughout the State so far as could be secured, taking into consideration the various conditions existing in special counties.

Q. Did you have any counties in your district that do not have negroes or Mexicans?

A. Not that I know of.

Q. I wonder if you could give me any idea of the percentage of whites that have qualified under the new law as compared with colored under the reinvestigation?

A. No, sir.

Q. (By Mr. Morris) When a Member of the Legislature or any other citizen writes you in regard to any

application that has been denied or has not been granted or reinvestigated is it the policy of your office to immediately get in touch with the local investigator?

A. That would depend altogether upon how recently an investigation had been conducted in the case. When the letter from an individual regarding an applicant is received at my office it goes to the file department where the file for that particular applicant is pulled out and put on my desk. I at that time review the case and if I do not feel that I can give the interested party up to date information I then assign the case for reinvestigation. If it has been recently checked or recently reinvestigated and I have the facts in the case, I then give them the information from my records without assigning it for additional information.

Q. (By Mr. Johnson) Could you estimate about how much longer it will take you to complete your reinvestigation in your district?

A. I judge, you speak of the entire case are you not?

Q. Well, I presume by reinvestigation, your Investigators are reinvestigating those who are drawing old age assistance under the old law?

A. Right at this particular time we have concentrated our reinvestigation on that particular class of applicant.

Q. Have you completed that phase of your work?

A. No, sir.

Q. When you do complete a reinvestigation of the old cases then is it your intention to go ahead and reinvestigate those who have substantially qualified for old age assistance?

A. Yes, sir.

Q. I believe you stated that approximately 95 percent of the new applicants each month qualified for a grant?

A. That is correct.

Q. And approximately 250 applicants are reinvestigated each month?

A. That is correct.

Q. At that rate then if that percentage increases the same basis throughout Texas will an unusual number of new recipients of old age assistance on the rolls in Texas will we not?

A. I wish to call your attention to the fact that District No. 4 is by

far the largest in the State, having in the neighborhood of an eighth of the old age assistance applicants, and I do not feel that that 250 will continue, and naturally you can not without going into our various districts arrive at a figure as to applicants each month.

Q. Of course you must take into consideration the fact some of those who ought to be reinvestigated will be dropped from the rolls?

A. Some of them, yes, sir, some of them are dying. Without having accurate figures on it I would say that in my district the new applicants will approximately offset the deaths.

Q. I presume that it is your policy to be more or less guided by the recommendation of your local Investigator in regard to the applicant's needs, is that right?

A. May I give you just the procedure we follow? The Investigators make the investigation, it comes to, the report comes to the Supervisor of Investigation, she carefully reviews it. If they concur in his decision it is put on my desk for my recommendation. If I think or agree with them then it is passed to the State office, if they reason to disagree with the Investigator, the case is then returned.

Q. You more or less lend advice to the State and recommendations made by the Investigators as to whether or not the applicant should be denied or grant should be made?

A. Yes, sir.

Q. (By Mr. Morris) Let us suppose that an Investigator through the routine of their daily work find that an applicant has been denied either while that Investigator was in charge of the investigation in that district or whether at some prior time that she was investigating, she comes to your office and asks for the privilege of reinvestigating that case, is it the policy of your office to grant that request?

A. Not only a policy but a practice. All of our Investigators are

instructed every time they hear of a case that has been denied and in their opinion is eligible now to qualify they are immediately assigned to this case.

Q. Now in determining the eligibility of an applicant to get support from some other source to what extent do you go, by that I mean do you go any further, as far as the relations are concerned than their own children?

A. I think there is some instances where we would.

Q. Do you go as far as their friends?

A. I have not in my district relied on friends.

Q. The truth of the matter is, that that is not in the law as far as friends are concerned?

A. As I understand the law it says from all sources.

Q. The reason I ask you that question some statement was made of the opportunity of securing support from the relatives or friends, the word "friend" is not in the law, and it has not been the policy of your office to take that into consideration, the ability of any friend to support them?

A. That is right.

Q. You don't go as far as the grand children?

A. I think in some instances if a grandchild is well fixed, and has been supporting the applicant in the past and is financially able to continue that support, we could take that into consideration.

Q. But before you would make that decision you would take into consideration the fact that that grandchild might have his own parents to support and consider the size of their families?

A. We always take into consideration the person's ability to support after you look to his personal obligations, I mean by personal, his immediate family.

(Witness excused).

**FINAL REPORT OF COMMITTEE ON CONTINGENT EXPENSES  
FIRST CALLED SESSION, FORTY-FIFTH LEGISLATURE**

Hon. Robert W. Calvert, Speaker, House of Representatives.

Sir: Herewith we hand you the final account to date of the contingent expense accounts of the House for the First Called Session of the Forty-fifth Legislature. The list includes all that have been received up to this time; all of which have been approved and vouchers issued for the accounts as per numbers and dates herewith:

Date	Voucher No.	TO WHOM ISSUED	Amount
June 28	1	Rhody & Weber.....	\$ 5.00
June 28	2	Western Union Telegraph Co.....	32.35
June 28	3	H. H. Voss Company.....	8.95
June 28	4	W. W. Carter, Jr.....	42.00
June 28	5	Mineral Wells Index.....	.50
June 28	6	The Brownsville Herald.....	2.25
June 28	7	Denton Record-Chronicle.....	.50
June 28	8	Joe S. Dunlap.....	5.25
June 28	9	The Southern Publishing Company.....	1.50
June 28	10	Evening Weekly Mirror.....	.80
June 28	11	L. P. Mills.....	5.61
June 28	12	Texarkana Gazette.....	1.70
June 28	13	Bryan Daily Eagle.....	.50
June 28	14	Postal Telegraph & Cable Company.....	16.34
June 25	15	Remington Rand, Inc.....	45.60
June 28	16	The El Paso Herald-Post.....	.65
June 28	17	W. H. Richardson & Co.....	.98
June 28	18	T. B. Butler Publishing Company.....	2.25
June 28	19	Del Rio Evening News.....	.50
June 28	20	Longview News Company.....	1.50
June 28	21	Waxahachie Daily Light.....	1.00
June 28	22	Avalanche-Journal Publishing Co.....	1.00
June 28	23	Pampa Daily News.....	.75
June 28	24	Reporter Publishing Co.....	.75
June 28	25	Barrow Typewriter Company.....	48.00
June 28	26	The Enterprise Company.....	5.50
June 28	27	The Dallas Dispatch.....	.75
June 28	28	News Publishing Company.....	.75
June 28	29	Gainsville Register.....	.50
June 28	30	Cleburne Times Review.....	.50
June 28	31	Shamrock Texan Publishing Co.....	.40
June 28	32	McKean-Eilers Company.....	3.63
June 28	33	Brenham Banner Publishing Co.....	.75
June 25	34	Herald Publishing Company.....	.60
June 25	35	Perkins & Wilson.....	1.00
June 25	36	Port Arthur News.....	1.00
June 25	37	Marshall News Messenger.....	.50
June 25	38	United Publishing Company.....	.50
June 25	39	The Gonzales Inquirer.....	.60
June 25	40	San Angelo Standard-Times.....	.70
June 25	41	Globe-News Publishing Co.....	1.50
June 28	42	The Brownwood Bulletin.....	.75
June 28	43	Bell Publishing Company.....	1.20
June 28	44	The Sherman Democrat.....	1.30
June 28	45	The Paris News.....	2.40
June 28	46	Times Herald Printing Company.....	5.25
June 28	47	Abilene Reporter News.....	1.50
June 28	48	W. W. Carter, Jr.....	26.50
June 28	49	The Steck Company.....	44.44
June 15	50	VOID	

## FINAL REPORT OF COMMITTEE ON CONTINGENT EXPENSES—Cont'd.

Date	Voucher No.	TO WHOM ISSUED	Amount
June 25	51	The Steck Company.....	31.12
June 28	52	The News Publishing Company.....	1.50
June 26	53	S. S. Pettus.....	62.45
June 25	54	Favorite Printing Company.....	1.00
June 25	55	Caller-Times Publishing Co.....	.90
June 25	56	Palestine Daily Herald.....	.80
June 17	57	The Texas Warrant Company.....	1,000.00
June 25	58	Texas School for Blind.....	5.73
June 25	59	Postal Telegraph & Cable Co.....	29.20
June 25	60	A. C. Baldwin Co.....	5.91
June 25	61	Western Union Telegraph Company.....	89.06
June 25	62	Southwestern Bell Telephone Company.....	690.05
June 25	63	Austin Typewriter & Supply Company.....	128.00
June 25	64	Remington Rand, Inc.....	62.17
June 28	65	Underwood-Elliott-Fisher Co.....	24.00
June 25	66	H. H. Voss & Company.....	5.20
June 25	67	W. W. Carter, Jr.....	12.64
June	68	VOID.....	
June 28	69	VOID.....	
June 28	70	D. R. Lilienstern.....	74.30
June 28	71	VOID.....	
June 28	72	Western Union Telegraph Co.....	44.55
June 28	73	The H. H. Voss Company.....	3.75
June 28	74	Electric Appliance Corp.....	157.50
	75	VOID.....	
June 28	76	W. W. Carter, Jr.....	39.34
June 28	77	Southwestern Bell Telephone Co.....	421.20
June 28	78	Hyde Park Floral Co.....	5.55
June 28	79	Roy R. Callaway.....	13.25
June 28	80	American Publishing Company.....	57.95
June 28	81	Leston Lawrence.....	36.00
June 28	82	Austin Typewriter & Supply Co.....	9.00
June 25	83	Remington Rand, Inc.....	2.10
June 28	84	Postal Telegraph Co.....	34.86
June 28	85	Times Publishing Co.....	6.00
June 28	86	VOID.....	
June 25	87	Southwestern Bell Telephone Co.....	182.20
June 25	88	U. S. Post Office.....	600.00
June 25	89	VOID.....	
June 25	90	The Clegg Co.....	10.00
June 25	91	Remington Rand, Inc.....	61.00
June 25	92	W. W. Carter, Jr.....	13.25
June 29	93	C. J. Martin & Sons.....	1.75
June 29	94	Z. Pearson.....	4.11
June 29	95	Austin Ice Company.....	8.00
June 29	96	Tobin's Flower Shoppe.....	5.00
June 29	97	Western Union Telegraph Company.....	31.46
June 29	98	Texas Book Store.....	52.00
June 29	99	Godwin Bros.....	8.00
June 29	100	Postal Telegraph & Cable Co.....	28.07
June 29	101	Southern Publishing Co.....	1.50
June 29	102	The Steck Company.....	4.60
June 29	103	The Fort Worth Press.....	2.50
June 30	104	U. S. Post Office.....	4.00
July 2	105	A. C. Baldwin Co.....	31.50
July 2	106	H. H. Voss Company.....	7.50
July 2	107	H. H. Voss Company.....	5.20
July 2	108	Southwestern Bell Telephone Co.....	408.40
July 2	109	A. C. Baldwin Co.....	76.78



## FINAL REPORT OF COMMITTEE ON CONTINGENT EXPENSES—Cont'd.

Date	Voucher No.	TO WHOM ISSUED	Amount
July 2	110	The Steck Company.....	12.75
July 2	111	Capital Printing Company.....	1,454.60
July 3	112	Hull Stationery & Printing Co.....	208.00
July 3	113	Hillyer's Florist Shoppe.....	5.00
July 3	114	L. P. Mills.....	8.10
July 9	115	Lon E. Alsup.....	150.00
July 9	116	H. H. Voss Co.....	2.50
July 9	117	The Steck Co.....	12.56
July 9	118	C. R. Brownlee.....	6.00
July 13	119	A. W. Brill.....	3.83
July 13	120	Western Union.....	1.17
July 13	121	Remington Rand, Inc.....	26.25
July 13	122	Brydson Lumber Co.....	84.80
July 13	123	The Steck Co.....	90.86
July 13	124	The Steck Co.....	3.15
July 14	125	Fred Felty (Investigating Committee).....	25.11
July 14	126	C. T. Rhodes (Investigating Committee).....	24.45
July 14	127	George Coleman.....	12.00
July 17	128	Clara A. Neal.....	15.00
July 23	129	Clara A. Neal.....	30.00
July 31	130	Clara A. Neal.....	30.00
Aug. 7	131	Clara A. Neal.....	30.00
Aug. 17	132	The Steck Co.....	10.40
Aug. 19	133	Lufkin Publishing Co.....	3.25
July 26	134	Worth S. Ray.....	112.50
July 31	135	J. T. Patterson.....	150.00
July 31	136	Gussie Evans.....	255.00
Aug. 16	137	Clara A. Neal.....	30.00
Aug. 24	138	Clara A. Neal.....	30.00
Aug. 28	139	Clara A. Neal.....	35.00
Aug. 12	140	H. H. Voss Co.....	2.60
Sept. 10	141	Southwestern Bell Telephone.....	432.80
Sept. 10	142	Southwestern Bell Telephone.....	9.60
Sept. 1	493	J. T. Patterson.....	150.00
Sept. 1	494	Gussie Evans.....	255.00
Total.....			\$8,642.93

## REPORT OF FIRST CALLED SESSION, FORTY-FIFTH LEGISLATURE

Supplies Bought.....	\$ 664.48
Typewriter Rent.....	469.00
Telephone.....	2,134.65
Telegraph.....	307.06
Stamps Bought.....	1,590.00
Flowers.....	15.55
Printing Bills.....	114.19
Printing Journals.....	1,454.60
Laundry for Speaker's Apartment.....	13.71
Newspapers.....	310.75
Post Office Box Rent.....	4.00
Ray Session Laws.....	112.50
Post Session Work.....	1,160.00
Furniture and Repairs.....	242.88
Committees.....	49.56
Total.....	\$8,642.93

## EXPENSE ACCOUNT OF MEMBERS

	Supplies	Stamps	Telegraph and Telephone	Total
Adkins, W. H.	\$ .93	\$ 7.87	\$ 7.07	\$ 15.87
Alexander, Bob	3.00	-20.48	8.75	32.23
Alsup, Lon E.	1.41	4.10	10.05	15.56
Amos, A. E.	.40	21.06	14.27	35.73
Baker, H. Cecil	4.20	10.70	16.81	31.71
Bates, Harold	3.04	1.53	3.55	8.12
Beckworth, Lindley G.	6.90	11.46	19.93	38.29
Bell, John J.		6.20	16.10	22.30
Blankenship, Dallas A.	2.26	20.21	18.22	40.69
Boethel, Paul C.	3.67	11.89	8.41	23.97
Bond, Bowlen	4.03	17.38	10.17	31.58
Boyer, Max W.	6.17	21.03	8.42	35.62
Bradbury, J. Bryan	6.02	16.23	12.65	34.90
Bradford, Clyde		3.21		3.21
Bridgers, W. W.	1.19	2.03	2.68	5.90
Broadfoot, A. S.	1.97	10.87	16.01	28.85
Brown, H. T.	3.42	10.53	11.71	25.66
Burton, Grover	.10	3.71		3.81
Cagle, A. P.	3.73	14.21	7.98	25.92
Callan, Robert P.	1.18	9.88	22.41	33.47
Carsow, W. B.	5.46	22.20	8.53	36.19
Cathey, B. F.	.20	12.50	4.58	17.28
Cauthorn, A. R.	2.36	5.05	5.24	12.65
Celaya, Augustine	1.98	11.87	21.96	35.81
Cleveland, E. J.	1.63	9.54	1.95	13.12
Colquitt, Rawlins M.	1.11	12.63	15.13	28.87
Davis, J. C.		6.03	14.75	20.78
Davis, Minet M.	.80	9.54	5.66	16.00
Davison, Howard C.	4.33	18.03	13.37	35.73
Davisson, George A., Jr.	.06	11.04	19.59	30.69
Dean, Travis B.	2.95	10.53	14.28	27.76
Deglandon, Albert	2.56	16.87	.35	19.78
Derden, Albert L.	5.73	20.55	6.47	32.75
Dickison, P. E.	3.97	12.06	20.20	36.23
Dollins, John	.97	6.23	30.50	37.70
England, Byron	.40	4.53	19.86	24.79
Farmer, Clarence E.	2.15	19.35	21.44	42.94
Felty, Fred	10.15	11.18	12.54	33.87
Fielden, Virgil A.	3.23	11.52	24.19	38.94
Fox, Wilson H.	3.11	11.72	7.05	21.88
Fuchs, R. A.	1.76	16.22	7.44	25.42
Gibson, Merritt H.	.78	15.37	4.42	20.57
Graves, Harry N.	1.80	.54	3.06	5.40
Hamilton, Ed B.	6.03	8.63	6.80	21.46
Hankamer, Harold M.	.36	10.53	13.92	24.81
Hanna, Sam C.		3.03	24.25	27.28
Harbin, T. E. (Dick)	3.33	17.84	14.52	35.69
Hardin, Ross	1.05	10.87	22.17	34.09
Harper, George H.	1.43	12.04	7.13	20.60
Harrell, E. F.	3.17	20.74	15.69	39.60
Harris, C. L.	1.80	17.09	1.33	20.22
Harris, D. M.	1.04	11.21	19.10	31.35
Harris, Fred	.51	7.53	30.75	38.79
Hartzog, Howard G.	7.18	.71	36.05	43.94
Heflin, J. M.	.68	10.84	3.62	15.14
Herzik, Gus	1.30	12.20	7.10	20.60
Holland, Arthur	2.38	11.05	3.10	16.53

## EXPENSE ACCOUNT OF MEMBERS—Continued

	Supplies	Stamps	Telegraph and Telephone	Total
Hoskins, Conde R.	1.07	2.69	42.21	45.97
Howard, George F.	2.37	19.53	13.14	35.04
Huddleston, Earl		4.70	1.26	5.96
Hull, Henry	3.42	11.69	33.37	48.48
Hyder, Tom Bullock	.79	11.07	12.07	23.93
Jackson, H. P.	.55	5.83	3.87	10.25
James, Jesse	.35	12.52	20.20	33.07
Johnson, B. T.	3.59	11.04	14.43	29.06
Johnson, Leland M.	1.11	10.53	14.64	26.28
Jones, Herman	.40	6.54	5.71	12.65
Jones, Raglin	1.88	16.78	19.62	38.28
Jones, S. A., Jr.	.21	10.73	18.23	29.17
Jones, Walter E.	.15	8.04	23.38	31.57
Keefe, Edgar S.	7.12	16.04	9.71	32.87
Keith, Joe A.	2.68	9.03	16.35	28.06
Kelt, J. J.	.30	6.51	4.42	11.23
Kenyon, L. M.	.20	3.66	19.70	23.56
Kern, Troy E.	1.33	16.53	5.13	22.99
King, Delmar L.	1.81	5.21	7.00	14.02
Knetsch, Fred E.	.98	12.14	3.65	16.77
Langdon, Jack	.17	6.51	8.82	15.50
Lankford, Louis	.42	3.39	2.79	6.60
Lanning, R. C.	2.14	2.84	13.15	18.13
Leath, Robert M.	.18	9.06	20.70	29.94
Leonard, Homer L.	3.96	19.53	14.56	38.05
Leyendecker, B. J.	1.93	11.01	23.74	36.68
Little, G. H.	.40	14.21	26.77	41.38
Loggins, Edgar	.73	9.71	39.20	49.64
London, Marvin F.	.18	11.55	18.10	29.83
Lucas, Jap H.	4.79	21.23	4.34	30.36
Mann, Frank E.	5.97	10.70	3.28	19.95
Mauritz, Fred		9.20	6.58	15.78
Mays, Abe M.	1.27	10.29	19.08	30.64
Metcalfe, Penrose B.	7.66	11.55	21.62	40.83
Moffett, George C.	1.97	3.36	4.50	9.83
Monkhouse, Joe R.	.27	16.39	17.83	34.49
Morris, G. C.		10.73	6.68	17.41
Morse, R. Emmett	.57	7.49	14.14	22.20
McConnell, J. Carroll	.15	9.88	22.68	32.71
McCracken, O. A.	.04	11.21	1.95	13.20
McDonald, W. T.	2.91	4.53	3.35	10.79
McFarland, C. M.	.44	18.37	2.14	20.95
McKee, H. L.		10.53	10.89	21.42
McKinney, A. T.		1.39	11.50	12.89
Newton, George Mayo	1.35	9.03	5.13	15.51
Nicholson, C. E.	1.11	3.71	15.85	20.67
Oliver, J. J. (Jack)	.10	11.13	5.09	16.32
Palmer, Gaston	3.32	10.84	21.50	35.66
Patterson, John B.		1.73		1.73
Patterson, Tolbert	.37	.03	28.95	29.35
Petsch, Alfred		6.53	11.45	17.98
Pope, W. E.	8.38	7.53	35.49	51.40
Powell, Robert A.	3.58	6.88		10.46
Prescott, Ross Knight	4.82	20.18	10.61	35.61
Quinn, B. E.	.76	3.37	3.25	7.38
Ragsdale, Bailey B.	2.15	12.20	15.10	29.45
Reader, R. L.	.66	17.55	13.32	31.53
Reed, Jasper N.	2.38	11.48	.60	14.46

## EXPENSE ACCOUNT OF MEMBERS—Continued

	Supplies	Stamps	Telegraph and Telephone	Total
Reed, W. O.....	.40	9.03	22.70	31.50
Rhodes, Cecil T.....	2.05	12.25	14.62	28.92
Riddle, Arthur C.....		15.28	9.64	24.92
Roark, Alf.....	.17	8.51	22.50	31.18
Ross, T. S. (Tip).....	1.35	8.21	2.29	11.85
Russell, John K.....	.03	11.04	.87	11.94
Rutta, Charles D.....	1.95	10.87	5.68	18.50
Schuenemann, H. H.....	.04	11.55	10.45	22.04
Settle, J. Doyle.....	1.15	11.04	26.75	38.94
Sewell, Wm. Noll W.....	.10	9.37	8.36	17.83
Sharpe, Ben H.....	1.01	13.87	16.12	31.00
Shell, J. Harvey.....	.49	11.21	12.94	24.64
Simpson, James M., Jr.....	14.38	19.87	4.74	38.99
Skaggs, A. G.....	3.84	19.53	4.87	28.24
Smith, Howard S.....	.05	8.01	43.51	51.57
Smith, Lonnie.....	.02	17.43	15.32	32.77
Smith, Paris.....		1.05	2.35	3.40
Stevenson, Coke R.....	.04	10.53	11.50	22.07
Stinson, Jeff D.....	1.82	11.04	2.45	15.31
Stocks, C. L.....		12.06	.48	12.54
Talbert, Eugene.....		3.54	11.63	15.17
Tarwater, Arthur B.....	1.38	11.89	8.14	21.41
Tennant, Roy I., Jr.....	1.54	10.50	26.36	38.40
Tennyson, Chas. H.....	1.05	9.89	19.62	30.56
Thornberry, Homer.....	.80	2.18	4.15	7.13
Thornton, E. H., Jr.....	2.98	7.25	21.69	31.92
Vale, Arnold J.....		13.05	34.02	47.07
Waggoner, J. H.....	1.18	11.03	7.10	19.31
Walker, Albert G.....	.25	.90	.67	1.82
Weldon, Odis A.....	1.19	1.73	1.35	4.27
Westbrook, Mainor N.....	.99	11.18	25.72	37.89
Winfree, J. E.....	6.22	10.04	21.62	37.88
Wood, Robt. H.....	1.58	9.49	18.29	29.36
Worley, Eugene.....	1.52	10.50	17.72	29.74
Calvert, Robt. W.....	5.41	13.49	12.07	30.97
Total.....	\$ 291.79	\$1,580.06	\$1,943.76	\$3,815.61

	Supplies	Stamps	Telegraph and Telephone	Total
Stenographic Force.....	\$ 318.46	\$ .....	\$ .....	\$ 318.46
Cortingent Expense Committee.....	12.56	10.26	.....	22.82
Journal Clerk.....	6.54	.....	.....	6.54
Reading Clerk.....	5.38	.....	.....	5.38
Calendar Clerk.....	15.15	.....	.....	15.15
Appropriations Committee.....	4.84	2.10	.....	6.94
Chief Clerk.....	26.76	20.02	14.72	61.50
Sergeant-at-Arms.....	.04	6.96	2.70	9.70
Enrolling and Engrossing.....	36.52	.....	.....	36.52
Doorkeepers.....	.17	.....	.....	.17
Porters.....	3.96	.....	.....	3.96
Mailing Clerks.....	3.95	.....	.....	3.95
Committee Clerks.....	6.52	.....	.....	6.52
General Expense of House.....	108.26	.....	.....	108.26
Total.....	\$ 549.11	\$ 39.34	\$ 17.42	\$ 605.87

## SUPPLY ACCOUNT

Left from Regular Session of Forty-fifth Legislature.....	\$ 331.15
Bought during First Called Session.....	664.48
Total.....	\$ 995.63

## Disbursements

General House Expense.....	\$ 108.26
To Members.....	291.79
Chief Clerk.....	26.76
Stenographers.....	318.46
Calendar Clerk.....	15.15
Sergeant-at-Arms.....	.04
Doorkeepers.....	.17
Reading Clerk.....	5.38
Clerical Force.....	6.52
Enrolling and Engrossing.....	36.52
Contingent Expense Committee.....	12.56
Appropriations Committee.....	4.84
Mailing Clerks.....	3.95
Porters.....	3.96
Journal Clerk.....	6.54
Left on Hand.....	154.73
Total.....	\$ 995.63

## STAMP ACCOUNT

Left on hand from Regular Session, Forty-fifth Legislature.....	\$ 530.88
Bought during First Called Session, Forty-fifth Legislature.....	1,590.00
Total.....	\$2,120.88

## Disbursements

To Members.....	\$1,580.06
Chief Clerk.....	20.02
Contingent Expense Committee.....	10.26
Appropriations Committee.....	2.10
Sergeant-at-Arms.....	6.96
Stamps issued to Investigating Committees.....	3.00
Stamps left on hand.....	498.48
Total.....	\$2,120.88

Respectfully submitted,

LON E. ALSUP, Chairman  
 By Clara A. Neal, Clerk  
 Contingent Expense Committee,  
 House of Representatives.

## COMMITTEE EXPENSE

## Red River Boundary Committee—H. C. R. No. 13

Date	Voucher No.	TO WHOM ISSUED	Amount
Feb. 19	164	A. H. Broadfoot.....	\$ 18.85
Feb. 19	165	Lonnie Smith.....	18.80
Feb. 19	166	Max W. Boyer.....	30.41
Feb. 25	177	A. H. Broadfoot.....	44.60
Feb. 26	180	Max W. Boyer.....	53.15
Feb. 26	181	Raglin Jones.....	44.80
Feb. 26	182	G. H. Little.....	46.69
Feb. 26	202	J. H. Broadhurst.....	80.05
Mar. 25	239	J. H. Broadhurst.....	40.00
Mar. 30	244	A. H. Broadfoot.....	27.33
Total.....			\$404.68

## COMMITTEE EXPENSE

## Committee to Investigate Reformatory Institutions—H. S. R. No. 186

Date	Voucher No.	TO WHOM ISSUED	Amount
Apr. 27	322	A. S. Hull.....	\$ 10.40
May 7	355	Bailey B. Ragsdale.....	32.40
May 7	354	E. F. Harrell.....	12.35
May 12	366	Albert L. Derden.....	14.65
Total.....			\$ 69.80

## REPORT OF SERGEANT-AT-ARMS

Hon. Lon E. Alsup, Chairman, Contingent Expense Committee, House of Representatives, First Called Session, Forty-fifth Legislature.

Sir: The following are statements of inventory of fixtures, also stamps, supplies accounts, and telephone and telegraph accounts for the First Called Session of the Forty-fifth Legislature:

<p style="text-align: center;">Engrossing Room</p> <p>12 Stenographic tables. 14 New oak chairs. 3 Straight chairs. 1 Desk chair. 8 Waste baskets. 2 Large file cabinets. 1 Small file cabinet. 3 Large tables. 2 Hall trees. 8 Stenographic baskets. 1 Desk.</p> <p style="text-align: center;">Enrolling Room</p> <p>19 Oak chairs. 13 Stenographic tables. 1 Hall tree. 2 Large tables. 1 Desk. 2 Metal file cabinets. 7 Waste baskets. 1 Dictionary.</p> <p style="text-align: center;">Sergeant-at-Arms Office</p> <p>1 Long table. 3 Flat top desks. 1 Typewriter desk. 2 Pigeon hole cabinets. 1 Supply cabinet. 3 Roll top desks. 1 Steel file cabinet. 1 Paper rack. 1 Hole punch. 1 Hall tree. 1 Post office (216 boxes). 1 Adding machine. 1 Typewriter. 1 Bill file. 3 Desk chairs. 4 Small waste baskets. 2 Large waste baskets.</p> <p style="text-align: center;">Room No. 3</p> <p>2 Oak tables. 31 Large arm oak chairs. 60 New stenographic chairs. 6 Straight chairs. 5 Round bottom chairs. 28 Old arm chairs.</p> <p style="text-align: center;">West Room</p> <p>73 Stenographic tables. 123 Waste baskets.</p> <p style="text-align: center;">Chief Clerk's Office</p> <p>1 Roll top desk. 4 Flat top desks. 2 Book cases.</p>	<p style="text-align: center;">Chief Clerk's Office—Cont'd.</p> <p>3 Metal file cabinets. 2 Metal safes. 2 Stenographic tables. 1 Small metal record cabinet. 19 Chairs. 6 Waste baskets. 1 Wood stationery cabinet. 3 Desk lamps. 2 Rotary fans. 1 Underwood typewriter. 2 Hall trees. 1 Couch. 1 Lin-a-time.</p> <p style="text-align: center;">Rear Hall</p> <p>1 Roll top desk. 2 Wood cabinets. 1 Stool.</p> <p style="text-align: center;">Room No. 6</p> <p>1 Metal cabinet. 1 Wood cabinet. 3 Desks. 2 Large oak tables. 4 Waste baskets. 1 Hall tree. 26 Oak chairs.</p> <p style="text-align: center;">Room No. 12</p> <p>24 Oak chairs. 2 Old arm chairs. 2 Oak tables.</p> <p style="text-align: center;">Room No. 10</p> <p>11 Arm chairs. 2 New oak tables. 1 Mahogany table. 25 Mahogany chairs. 25 New oak chairs.</p> <p style="text-align: center;">Mimeograph Room (2nd floor)</p> <p>3 Long tables. 1 Large desk.</p> <p style="text-align: center;">Room No. 8</p> <p>25 Oak chairs. 2 Large oak tables.</p> <p style="text-align: center;">Press Room</p> <p>15 Desks. 15 Chairs.</p> <p style="text-align: center;">Speaker's Office</p> <p>1 Hall tree. 1 Book case. 1 Metal file cabinet. 2 Rotary fans. 2 Cuspidors and mats. 4 Mahogany desks. 2 Mahogany tables. 1 Drinking fountain.</p>
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Speaker's Office—Cont'd.		Speaker's Living Room—Cont'd.	
1	Day bed.	1	Small marble top table.
1	Dufold.	1	Piano with stool.
1	Small vacuum cleaner.	Ladies' Rest Room	
3	Waste baskets.	1	Rotary fan.
1	Small oak chair.	2	Screens.
5	Mahogany chairs.	1	Stenographer's chair.
1	Library table.	2	Brooms.
2	Desk lamps.	1	Duster.
2	Pen trays.	1	Round top table.
1	Ash tray.	1	Settee.
Speaker's Kitchen		2	Chairs.
1	Electric stove.	1	Vanity and stool.
1	Cabinet.	1	Foot stool.
1	Waste basket.	1	Waste basket.
1	Westinghouse refrigerator.	1	Bucket and dust pan.
2	Teaspoons.	Gent's Room	
1	Water pitcher.	3	Tubs.
9	Glasses.	3	Buckets.
9	Bowls.	1	Shine stand.
6	Plates.	300	Pounds moth control.
6	Cups.	55	Gallons disinfectant.
6	Saucers.	55	Gallons liquid toilet soap.
1	Platter.	65	Rubber mats.
Speaker's Dining Room		2	Aprons.
1	Table.	1	Pair rubber boots.
4	Chairs.	80	Mats.
1	Plate.	1	Case toilet paper.
11	Glasses.	1	Folding chair.
1	Sideboard.	Porter's Room	
Speaker's Bathroom		1	Desk.
1	Hishboy.	7	Large waste baskets.
1	Bathtub.	1	Desk chair.
1	Basin.	1	Polishing brush.
1	Dust pan.	50	Pounds floor wax.
1	Broom.	7	Straw brooms.
1	Hot water heater.	1	High chair.
Speaker's Bedroom		6	Dusters.
1	Dresser.	3	Quarts furniture polish.
1	Dressing table.	6	Chairs.
1	Bedstead.	5	Wet mops.
1	Pair box springs.	125	Feet vacuum hose.
1	Mattress.	4	Scrub brushes.
1	Stenographer's table.	100	Pounds floor sweep.
1	Rocker.	Representative Hall	
1	Vanity chair.	2	Large oak tables.
1	Wardrobe.	6	Office desks.
12	Sheets.	2	Small tables.
3	Blankets.	6	Settees.
24	Towels.	150	Desks and chairs.
3	Comforts.	2	Small drinking fountains.
6	Wash rags.	2	Wooden cabinets with tables.
3	Bed spreads.	Reception Room	
12	Pillow slips.	4	Walnut settees.
2	Bed spreads.	20	Walnut chairs.
Speaker's Living Room		1	Walnut table.
5	Chairs.	1	Small desk.
1	Secretary.	1	Waste basket.
1	Floor lamp.	1	Bulletin board.
1	Table lamp.	1	Easel.
1	Mirror.	Respectfully submitted,	
2	Vanity tables.	ERNEST J. BOYETT,	
1	Settee.	Sergeant-at-Arms,	
1	Dufold.	House of Representatives.	